SELECT BOARD MEETING  
Wednesday, July 6, 2022  
Nauset Room, Town Hall

or

Join Zoom Webinar via Computer or Mobile Device: https://us02web.zoom.us/j/86299691137  
https://us02web.zoom.us/j/82693919456  
Dial in via Phone: (646) 558-8656  
Webinar ID: 862 9969 1137

AGENDA

5:30 p.m. 1. Call to Order


3. Interview, discussion and vote on Board, Committee and Commission appointments and re-appointments
   a. Affordable Housing Committee – Elizabeth Paine, William Stoeckert, Fran McClennen
   b. Bike, Pedestrian, Parking & Traffic Committee – Joan Francolini, Kazmira Nedeau, Stephanie Gaskill, John Altieri
   c. Board of Water & Sewer Commissioners – Kevin Mahoney
   d. Energy & Climate Action Committee – Burton Jaffe, Paul Cass, Kevin Clements
   e. Shellfish & Waterways Committee – Craig Poosikian, Mark Carroll, Doud Edmunds, Suzanne Phillips
   f. Wastewater Management Advisory Committee – Kevin Galligan, Lynn Bruneau, Alan McClennen, John Smith, Judith Bruce
   g. Zoning Board of Appeals – Gerald Mulligan, Lynne Eickholt, Matthew Cole

4. Discussion and vote on Seasonal Outdoor Entertainment License for Good Times Cape Cod, 3B Canal Rd., Nicole Waite, Manager

5. Discussion and vote on Seasonal Outdoor Entertainment License for Orleans Bowling Center Inc. dba The Alley Bowling and BBQ, 191, Route 6A, David Currier, Manager

6. Meet with Town Counsel
   a. Review proposed Short Term Rental Registration Bylaw for the Oct. STM
   b. Vote to adopt and sign Order of Taking for Cedar Pond Road Parcels
   c. Vote to adopt and sign Order of Taking for Meeting House Pond area sewers

7. Meet with Open Space Committee for authorization to proceed with purchase of 6 Cedar Pond Road property

8. Meet with Orleans Conservation Trust for discussion and vote on Conservation Restriction for 4 Braddocks Way

9. Discussion and vote to approve amended Policy on Length of Service on Appointed Committees
10. Discussion and vote to approve Policy on Board/Committee Service Assumptions Agreement
   a. Vote to ask committee chairs to identify training needs for posting on website

11. Vote to call special town meeting on October 17, 2022 and special election on December 6, 2022
12. Review of draft Special Town Meeting Article Index
   a. Discussion and vote on fertilizer ban article letter of support

13. Vote to sign FY23 Memorandum of Agreements with Harwich, Brewster, and Chatham for participation in the Adult Supportive Day Program at the Orleans COA

14. Review and possible vote on draft Safer Community Task Force Keep Charge

15. Town Administrator’s Report
   a. Annual Police Department Appointments (Kerry O’Connell, James Rosato, Christopher Jurkowski, Alexander Dedinas, Riley McDonough, John Marsinelli, Sean Diamond, Angela Clark, MaryAlice Machado, and Terri Therrien)
   b. Annual appointment of Assistant Harbormasters and Deputy Shellfish Constables (David Slack, Charles Elliott, Jack Avellar, Michael O’Connor, Nicole Paine, Scott Richards, Stuart Smith, Jason Holm, Michael Ryder, John Rendon, and William Neiser)
   c. Designate Liana Surdut as Temporary Town Administrator for FY23
   d. Designate Emergency Personnel under Vehicle Take Home Policy
   e. Designate Mihaela Miteva as Parking Clerk under M.G.L Ch. 90, Section 20A½
   f. Update on Recreation Department Staffing and Organizational Study

16. Liaison Reports
   a. Further discussion on Select Board Liaison Policy and possible reporting options
   b. Update on Eversource substation landscaping irrigation and long-term work group

17. Items for Future Agendas

18. Adjourn

Note: In accordance with the Town Charter, the Select Board shall act as Park Commissioners, and in this capacity may from time to time consider matters not specifically referenced as such on the regular agenda.

"The listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law."
## PUBLIC COMMENT

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<tr>
<th>REQUESTED BY:</th>
<th>Select Board</th>
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<tr>
<td>DESIRED ACTION:</td>
<td>Public comment via in-person and/or remote participation</td>
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<td>PROPOSED MOTION:</td>
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<td>ACTION TAKEN:</td>
<td>Moved By: _____________________ Seconded By: ________________</td>
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<td>Condition(s):</td>
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<td>VOTED:</td>
<td>Aye _____ Nay_______ Abstain _______</td>
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## COMMITTEE INTERVIEWS & APPOINTMENTS

<table>
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<tr>
<th>REQUESTED BY:</th>
<th>Molly Bates</th>
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<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Conduct interviews for various Boards, Committees, and Commissions, as well as reappointments for members with June 30, 2022 term expirations</td>
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<td>PROPOSED MOTION:</td>
<td>See action forms</td>
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<tr>
<td>ACTION TAKEN:</td>
<td>Moved By: _________________  Seconded By: ________________  Condition(s):</td>
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<td>VOTED:</td>
<td>Aye _____  Nay_______  Abstain ________</td>
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TOWN OF ORLEANS
COMMITTEE INTERVIEWS – APPOINTMENTS

Date: July 8, 2022
Committee: Affordable Housing Committee

The Affordable Housing Committee is comprised of 7 members appointed by the Select Board and serving a 3-year term. During this meeting, the Board will be asked:

1. Richard Kendall Does not seek reappointment
2. William Stoeckert Requests reappointment Term end: 6/30/2025
3. Fran McClennen Requests reappointment Term end: 6/30/2025
4. Elizabeth Paine Seeks Appointment Term end: 6/30/2025

<table>
<thead>
<tr>
<th>COMMITTEE</th>
<th>MEMBERSHIP INFO</th>
<th>VACANCIES</th>
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<tbody>
<tr>
<td>AFFORDABLE HOUSING COMMITTEE</td>
<td>7 members</td>
<td>VACANCIES 1</td>
<td>22</td>
<td>Richard Kendall</td>
<td>R</td>
<td>8/7/2019</td>
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<td></td>
<td>3 year term</td>
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<td>22</td>
<td>Fran McClennen</td>
<td>R</td>
<td>2/15/2017</td>
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<td>7/3/2019</td>
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<td>24</td>
<td>Nancy Renn CH*</td>
<td>R</td>
<td>7/15/2015</td>
<td>7/15/2015</td>
<td>8/1/18, 10/6/21</td>
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<td>24</td>
<td>Susan Carlson</td>
<td>R</td>
<td>10/6/2021</td>
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<td>23</td>
<td>Nancy James</td>
<td>R</td>
<td>1/6/2021</td>
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Citizen Interest Form

The Town of Orleans has over 35 Boards, Committees, and Commissions that serve to provide our Town with guidance, new ideas, and knowledge. We depend on the participation and dedication of our residents to fill these Boards in order to help benefit our community.

<table>
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<tr>
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<tbody>
<tr>
<td>Elizabeth Paine</td>
<td>05/20/2022</td>
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</table>

<table>
<thead>
<tr>
<th>Residential Address</th>
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<tbody>
<tr>
<td>57 Nickerson Road, Orleans, MA 02653</td>
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<table>
<thead>
<tr>
<th>Mailing Address</th>
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<table>
<thead>
<tr>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>744-722-4060</td>
<td><a href="mailto:elizabeth.d.paine@gmail.com">elizabeth.d.paine@gmail.com</a></td>
</tr>
</tbody>
</table>

1. Are you a full-time resident of the Town?  
   - [ ] yes  
   - [x] no

2. Are you available to serve on a year-round basis?  
   - [x] yes  
   - [ ] no
   If no, what is your availability?  
   ________________________________

3. Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:
   Attending the CDP Housing Workshop, as well as sat through a number of housing workshop in Provincetown as the Secretary to the Provincetown Select Boar, I have a Masters Certificate in Public Administration and am a long time resident of the Cape.

4. What interests you most about this Board, Committee, Commission?
   I would like to take a more active role in creating solutions for our local housing crisis.
   ________________________________

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Before submitting your interest form, please make sure this volunteer service is a good fit for your interests and time. During your interview with the Select Board, you will be asked which of the following steps you have taken to familiarize yourself:

- [ ] Confirm there is a vacancy on your B/C/C
- [ ] View at least two meetings via Ch.18 recordings
- [ ] View agendas and minutes for topic information
- [ ] Review the Charge of your chosen B/C/C
- [ ] Review meeting schedule for time commitment
- [ ] Contact the Chair of the B/C/C for information
   (Request contact from Town Administrator's office)

All above information can be found on the Town website, under the Boards and Committees tab.
TOWN OF ORLEANS BOARDS, COMMITTEES, AND COMMISSIONS

(please indicate up to 2 preferences)

☐ Affordable Housing Committee
☐ Affordable Housing Trust Fund Board
☐ Agricultural Advisory Council
☐ Architectural Review Committee
☐ Barnstable County Home Consortium
☐ Barnstable County Human Rights Comm.
☐ Bike & Pedestrian Committee
☐ Board of Assessors
☐ Board of Water & Sewer Commissioners
☐ Building Code Board of Appeals
☐ Cape Cod Commission
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☐ Historical Commission
☐ Human Services Advisory Committee
☐ Marine & Fresh Water Quality Committee
☐ Memorial & Veterans Day Committee
☐ Open Space Committee
☐ Personnel Advisory Board
☐ Planning Board
☐ Pleasant Bay Alliance Steering Committee
☐ Recreation Advisory Committee
☐ Renewable Energy/Wind Committee
☐ Shellfish & Waterways Advisory Committee
☐ Village Center Cultural District Committee
☐ Zoning Board of Appeals
☐ Zoning Bylaw Task Force
☐ Other __________________________

Please submit this completed form to:
Town Administrator’s Office, 19 School Road, Orleans, or email to townadministrator@town.orleans.ma.us.

Upon receipt of your interest form, we will contact you to schedule an interview with the Select Board.
For more information, please contact Molly Bates at 508-240-3700 x2415.
Thank you for your interest in our Boards and Committees!
AFFORDABLE HOUSING COMMITTEE

The Affordable Housing Committee is hereby charged with enabling the Town to create and preserve affordable housing for low- and moderate-income households in the Town of Orleans. The Committee with support of Town Staff including the Planning Director and the Housing Coordinator shall work towards creating housing opportunities for a diverse population, including all age and income levels, with particular emphasis on lower income households with the highest housing needs, and persons needed to meet the workforce demands of the local economy. Affordable housing should be encouraged in all areas of town, including residential, commercial and mixed-use areas appropriate for housing, to enable access to opportunities, and avoid concentration.

The Affordable Housing Committee shall be appointed by the Select Board and shall be comprised of seven members appointed to overlapping terms, plus a liaison member from the Select Board. The Committee shall act as an agency of the Town in the pursuit of affordable housing goals as expressed in the Orleans Comprehensive Plan, quantified in the 2017 Orleans Community Housing Study and successive updates, and articulated by the Select Board. To carry out its charge, the Committee shall coordinate with the Orleans Affordable Housing Trust, cooperate with State and regional entities, and engage the community. The Committee shall collect and analyze data, develop policies and strategies, and make recommendations to the Select Board to take actions that will result in improved housing opportunities for low- and moderate-income households and a housing stock that supports a healthy and diverse community.

The Affordable Housing Committee shares with the Affordable Housing Trust Board (AHTB) the mission of meeting the housing needs of individuals and households who meet defined income requirements. In contrast with the AHTB, which undertakes specific projects to create and preserve housing, the Affordable Housing Committee takes a broad and long-term perspective on needs, policies, and strategies. The Committee advises the AHTB, other Town advisory and regulatory bodies, and the Select Board on the impact of policies, strategies, and specific actions for low- and moderate-income housing.

Objectives and Strategies:

1. Understand and monitor the housing needs of the community, particularly those of low- and moderate-income households

   1.1. Track changes in demographics, economic conditions, and other community and regional characteristics by identifying and maintaining statistical indicators of housing need and monitoring data on a continuing basis.
1.2. Keep the Select Board and the community informed of significant changes and trends by updating comprehensive needs assessments on a periodic basis and issuing reports.

1.3. Develop and implement proactive plans that detail data needs, secure resources, inform policies and strategies, and outline timetables for actions.

2. **Ensure community understanding and appreciation of the needs of low and moderate-income households.**

2.1. Enhance community support by developing and maintaining understanding of communication and messaging regarding housing needs, including the importance of "stories" of the real effects of the lack of affordable housing on people, businesses, and the community.

2.2. Undertake public outreach, community engagement, and other efforts to further understanding of and support for affordable housing.

2.3. Develop and implement communication plans for specific projects, including a variety of tools and mechanisms to enhance messaging, reach as much of the community as possible, especially hard-to-reach segments of the community, and address concerns and objections.

3. **Ensure the institutional and policy framework and strategic planning required to help the Town meet the long-term housing needs in the community.**

3.1. Advocate for adequate Town funding for affordable housing efforts on a consistent and continuing basis.

3.2. Foster zoning bylaw amendments and other changes in Town laws and regulations that encourage development of affordable housing, consistent with other Town goals.

3.3. Reconcile concerns about wastewater treatment, green space preservation, environmental protection, historic preservation, and community character with the objective of developing affordable housing.

3.4. Encourage the utilization of existing housing and re-use of unused or underused commercial space to create affordable housing, where appropriate, as a cost-effective alternative to new construction.

3.5. Encourage the preservation and enhancement of existing affordable housing stock.
3.6. Encourage employee housing, particularly seasonal housing, by exploring methods, programs, and resources.

3.7. Encourage private sector creation of housing for low- and moderate-income individuals and families who do not meet income requirements of established affordable housing programs through incentives and marketing.

4. Assist in the implementation of specific housing projects and other initiatives to carry out the Town’s goals and objectives in regard to housing for low- and moderate-income households.

4.1. Support continuing and consistent funding for affordable housing projects as part of a long-term effort to meet affordable housing goals.

4.2. Assist the Affordable Housing Trust and the Select Board with specific projects through advice and advocacy, based on an early and complete understanding of each project.

4.3. Assist with the community’s understanding of specific projects as they relate to broader goals and strategies by taking the lead on communication planning for specific affordable housing projects or issues.

4.4. Review Comprehensive Permit applications (40B) for consistency with local affordable housing goals and strategies and make recommendations to the Zoning Board of Appeals.

5. Enhance effectiveness through alliances with other agencies and groups in pursuit of housing goals.

5.1. Collaborate regionally to further goals for affordable housing, economic diversity, and related issues such as homelessness, unemployment, and poverty.

5.2. Join in regional and State efforts to expand public support and resources for affordable housing efforts.

Date Approved: January 5, 2022
TOWN OF ORLEANS
COMMITTEE INTERVIEWS – APPOINTMENTS

Date: July 8, 2021
Committee: Bike, Pedestrian, Parking, & Traffic Study Committee (recently merged committees)

The Bike, Pedestrian, Parking, & Traffic Study Committee is comprised of 7 Regular members and 1 Associate member appointed by the Select Board. Additional members will also include the Police Chief, Fire Chief, Public Works Director, and Community Development Director. All regular and associate members will serve terms of 3 years. During this meeting, the Board will be asked the following:

1. Joan Francolini Requests resignation
2. Kazmira Nedeau Requests reappointment Term end: 6/30/2025
3. Stephanie Gaskill Requests reappointment & elevate to regular (fill former seat of Joan Francolini) Term end: 6/30/2023
4. Peter Allgeier Elevate to regular (per new charge) Term end: 6/30/2023
5. John Altieri Seeks appointment to Associate seat Term end: 6/30/2023

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<tr>
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<th>VACANCIES</th>
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<th>REG/ASSOC</th>
<th>DATE APPOINTED</th>
<th>DATE APPT'D AS REGULAR MEMBER</th>
<th>REAPPOINTED/RE-ELECTED</th>
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<tr>
<td></td>
<td>Appointed by SB 3 year term</td>
<td>NONE</td>
<td>23</td>
<td>Lindsey Goodman CH</td>
<td>R</td>
<td>11/7/2018</td>
<td>11/7/2018</td>
<td>8/5/20</td>
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<td></td>
<td>Police Chief</td>
<td></td>
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<td>Alice Van Oot</td>
<td>R</td>
<td>12/6/2017</td>
<td>12/6/2017</td>
<td>8/5/20</td>
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<td></td>
<td>Fire Chief</td>
<td></td>
<td></td>
<td>Joan Francolini</td>
<td>R</td>
<td>2/5/2020</td>
<td>8/5/2020</td>
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<td></td>
<td>DPW Director</td>
<td></td>
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<td>Kazmira Nedeau</td>
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<td>2/6/2019</td>
<td>7/3/2019</td>
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<td></td>
<td>Planning Director</td>
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<td>Peter Allgeier</td>
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<td>8/5/2020</td>
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<td>Stephanie Gaskill</td>
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<td>9/4/2019</td>
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<td></td>
<td>Douglas Prentiss</td>
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<td>8/19/20</td>
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<td>Scott MacDonald</td>
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<tbody>
<tr>
<td>John Altieri</td>
<td>6/2/2022</td>
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</tbody>
</table>

Residential Address
2 Ellis Circle, Orleans, MA, 02653

Mailing Address
2 Ellis Circle, Orleans, MA, 02653

Phone
201-320-9080

Email
jpaltieri@gmail.com

1. Are you a full-time resident of the Town? X yes ___ no

   Next year we plan to spend some winter months in Connecticut.

2. Are you available to serve on a year-round basis? X yes ___ no

   If no, what is your availability?

3. Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:
   long-time elementary school teacher and teacher leader in public education and outdoor education settings; former president of a large, county-wide running club (Rockland Road Runners); former race director of a 10 mile road race; road cyclist

4. What interests you most about this Board, Committee, Commission? I am interested in the current initiatives of the committee including educating pedestrians, cyclists, and motorists for an improved experience on the roads. Keeping our town accessible to modes of travel other than motor vehicles is important for livability and climate.

Before submitting your interest form, please make sure this volunteer service is a good fit for your interests and time. During your interview with the Select Board, you will be asked which of the following steps you have taken to familiarize yourself:

☐ Confirm there is a vacancy on your B/C/C
☐ Review the Charge of your chosen B/C/C
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TOWN OF ORLEANS BOARDS, COMMITTEES, AND COMMISSIONS

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☐ Zoning Bylaw Task Force
☐ Other ____________________

Please submit this completed form to:
Town Administrator’s Office, 19 School Road, Orleans, or email to

Upon receipt of your interest form, we will contact you to schedule an interview with the Select Board.
For more information, please contact Molly Bates at 508-240-3700 x2415.
Thank you for your interest in our Boards and Committees!
BIKE, PEDESTRIAN, TRAFFIC AND PARKING STUDY COMMITTEE

The Bike, Pedestrian, Traffic and Parking Study Committee will be comprised of 11 regular members and 1 associate member appointed by the Select Board, including the Police Chief, Fire Chief, Public Works Director, and Community Development Director.

The Committee will hold meetings at least once a month at the Town Hall or Police station and focus on the following activities:

1. Responsible for considering all aspects of vehicular and pedestrian safety and traffic in the Town and making timely recommendations to the Select Board. Specific issues of concern include, but are not limited to: (1) traffic control signal lights, signs and pavement markings; (2) roadway sign distances, visibility and street lighting; (3) off-highway vehicular access including property entrances, exits and curb cuts; (4) design and maintenance of roads on private property whereon access of emergency vehicles might be necessary; (5) roadway and parking safety; (6) enhancement of bicyclists' and pedestrian safety by routing, crosswalk marking and warning signs; (7) optimization of travel times and delays; and (8) enhancement of public transportation and alternative transportation effectiveness.

2. Preserve, promote and enhance the safety of cyclists and pedestrians, noting that seasonal and year-round cycling and pedestrian activities are important means of local transportation and popular activities; promote safety education and outreach to the community; provide recommendations regarding future bikeroutes.

3. Propose initiatives for improved “off-road” walkways for pedestrians and more consistent road shoulder room for cyclists; Identify "priority roads" requiring most critical need for improved pedestrian and cyclist safety; Understand Town's rights/constraints to land immediately adjacent to priority roads.

4. Survey existing sidewalks and recommend an appropriate maintenance program to the responsible town department; evaluate state of road and bikeway signage and make related recommendations.

5. The Committee may make specific written recommendations to the Planning Board and/or other committees as required, on subdivision plans which have the potential of impacting the flow of traffic and/or the safety of the general public. The Committee will make written recommendations to the Board of Selectmen through the Town Administrator and Board of Appeals on issues reviewed.

The Committee will submit minutes of meetings to the Town Clerk within 30 days of each meeting.

Date Proposed: June 8, 2022
Date Approved: June 8, 2022
**TOWN OF ORLEANS**  
**COMMITTEE INTERVIEWS – APPOINTMENTS**

Date: July 8, 2022  
Committee: Board of Water & Sewer Commissioners

The Board of Water and Sewer Commissioners is comprised of 3 members and 2 associates appointed by the Select Board, 1 member from the Planning Board, and 1 member from the Board of Health, all serving a term of three years. During this meeting, the Board will be asked the following actions:

1. Kevin Mahoney  
   Seeks appointment to Associate member  
   Term end: 6/30/25

### Committee Membership Info

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<th>COMMITTEE</th>
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<tr>
<td>BOARD OF WATER &amp; SEWER COMMISSIONERS</td>
<td>3 Reg appt SB 2 Assoc by SB</td>
<td>VACANCIES 1</td>
<td>24</td>
<td>Alan McClennen R</td>
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<td>Mark Berson R</td>
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<td>7/24/18, 8/11/20, 9/7/21</td>
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Citizen Interest Form

The Town of Orleans has over 35 Boards, Committees, and Commissions that serve to provide our Town with guidance, new ideas, and knowledge. We depend on the participation and dedication of our residents to fill these Boards in order to help benefit our community.

Name: Kevin F. Mahoney  Date: 2.15.22
Residential Address: 521 South Orleans Rd Orleans MA
Mailing Address: 02653
Phone: 617-513-6816  Email: KFMahoney777@gmail.com

1. Are you a full-time resident of the Town? [ ] yes [ ] no
2. Are you available to serve on a year-round basis? [ ] yes [ ] no
   If no, what is your availability? _______________________________________________________________________

3. Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:
   Graduate of Babson College, Former Partner with Deloitte, and Former CFO of publicly held company.

4. What interests you most about this Board, Committee, Commission?
   I am interested in getting involved in the Town Affairs and helping in any way my background and personality allows.

Before submitting your interest form, please make sure this volunteer service is a good fit for your interests and time. During your interview with the Select Board, you will be asked which of the following steps you have taken to familiarize yourself:

☐ Confirm there is a vacancy on your B/C/C
☐ View at least two meetings via Ch.18 recordings
☐ View agendas and minutes for topic information
☐ Review the Charge of your chosen B/C/C
☐ Review meeting schedule for time commitment
☐ Contact the Chair of the B/C/C for information
   (Request contact from Town Administrator’s office)

All above information can be found on the Town website, under the Boards and Committees tab.
TOWN OF ORLEANS BOARDS, COMMITTEES, AND COMMISSIONS

(please indicate up to 2 preferences)

☐ Affordable Housing Committee
☐ Affordable Housing Trust Fund Board
☐ Agricultural Advisory Council
☐ Architectural Review Committee
☐ Barnstable County Home Consortium
☐ Barnstable County Human Rights Comm.
☐ Bike & Pedestrian Committee
☐ Board of Assessors
☐ Board of Water & Sewer Commissioners
☐ Building Code Board of Appeals
☐ Cape Cod Commission
☐ Cape Cod Light Compact
☐ Community Preservation Committee
☐ Conservation Commission
☐ Council on Aging
☐ Cultural Council
☐ Finance Committee
☐ Fourth of July Committee
☐ Historical Commission
☐ Human Services Advisory Committee
☐ Marine & Fresh Water Quality Committee
☐ Memorial & Veterans Day Committee
☐ Open Space Committee
☐ Personnel Advisory Board
☐ Planning Board
☐ Pleasant Bay Alliance Steering Committee
☐ Recreation Advisory Committee
☐ Renewable Energy/Wind Committee
☐ Shellfish & Waterways Advisory Committee
☐ Village Center Cultural District Committee
☐ Zoning Board of Appeals
☐ Zoning Bylaw Task Force
☐ Other __________________________

Please submit this completed form to:
Town Administrator’s Office, 19 School Road, Orleans, or email to townadministrator@town.orleans.ma.us.

Upon receipt of your interest form, we will contact you to schedule an interview with the Select Board.
For more information, please contact Molly Bates at 508-240-3700 x2415.
Thank you for your interest in our Boards and Committees!
The Energy and Climate Action Committee is comprised of 7 regular members and 2 associates appointed by the Select Board and serving a term of three years. During this meeting, the Board will be asked the following:

1. Richard Kendall  Does not request reappointment
2. Paul Cass  Requests reappointment & elevation to regular seat (fill former seat of Richard Kendall)  Term end: 6/30/25
3. Kevin Clements  Requests reappointment  Term end: 6/30/2025
4. Burton Jaffe  Seeks appointment to Associate  Term end: 6/30/2025

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<tr>
<th>COMMITTEE</th>
<th>MEMBERSHIP INFO</th>
<th>VACANCIES</th>
<th>TERM EXPIRES</th>
<th>COMMITTEE MEMBERS *two or more terms completed</th>
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<th>REAPPOINTED/RE-ELECTED</th>
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<td>ENERGY &amp; CLIMATE ACTION COMMITTEE (formerly Renewable Energy)</td>
<td>7 members 2 associates 3 year term</td>
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Citizen Interest Form

The Town of Orleans has over 35 Boards, Committees, and Commissions that serve to provide our Town with guidance, new ideas, and knowledge. We depend on the participation and dedication of our residents to fill these Boards in order to help benefit our community.

Name: Burton Jaffe  
Date: 10/4/21

Residential Address: 43 Ariar Spring Rd  Orleans, MA  02653

Mailing Address: Same

Phone: 617-306-2203  Email: bjaffe80@aol.com

1. Are you a full-time resident of the Town? ___ yes  
   ___ no

2. Are you available to serve on a year-round basis?  
   ___ yes  ___ no
   If no, what is your availability? ________ but will use zoom or phone to join meetings

3. Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:
   1. Did historic repair of 14 buildings in Boston - all 3-5 unit bldgs
   2. Taught at the "Harvard Institute of Learning" about how to build energy efficient homes so that utility bills are extremely low
   3. Have visited net-zero and net-positive carbon buildings.

4. What interests you most about this Board, Committee, Commission?
   1. It is an opportunity to develop an aesthetically pleasing project
   2. Since buildings in Orleans are responsible for 50% of the town's carbon emissions, it is a chance to encourage the developer to consider environmentally good decisions

Before submitting your interest form, please make sure this volunteer service is a good fit for your interests and time. During your interview with the Select Board, you will be asked which of the following steps you have taken to familiarize yourself:

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☐ View agendas and minutes for topic information
☐ Review the Charge of your chosen B/C/C
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TOWN OF ORLEANS BOARDS, COMMITTEES, AND COMMISSIONS

(please indicate up to 2 preferences)

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☐ Barnstable County Human Rights Comm.
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☐ Cape Cod Commission
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☐ Community Preservation Committee
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☐ Renewable Energy/Wind Committee
☐ Shellfish & Waterways Advisory Committee
☐ Village Center Cultural District Committee
☐ Zoning Board of Appeals
☐ Zoning Bylaw Task Force
☐ Other

Please submit this completed form to: Town Administrator’s Office, 19 School Road, Orleans, or email to townadministrator@town.orleans.ma.us.

Upon receipt of your interest form, we will contact you to schedule an interview with the Select Board. For more information, please contact Molly Bates at 508-240-3700 x2415. Thank you for your interest in our Boards and Committees!
I have had a variety of experiences related to buildings and climate change.

**Trinity Condominium**  From 2001-2006 I interacted with the board of a 19 story building with 95 units to lower the energy usage by advocating for 5 major changes. We spent $150,000 for a smaller dx chiller to be used in the shoulder seasons, replace many electric heaters with excess heat from the chiller, switched to all LED lights, and installed variable speed controls on all pumps. We saved $150,000 in just 1 1/2 years and reduced our electricity usage by 1/3.

**Engaged with Boston City Hall**  I went to the Boston Environmental Division and suggested that I and my certified energy auditor teach other condo boards how to achieve similar results. The department liked the ideal, announced the lecture at the Boston Public Library, and I participated in teaching board members. Boston’s Mayor Menino awarded me one of the “Green Residential Awards” in 2008.

**Harvard Institute of Learning in Retirement (HILR)**
In 2006 I joined the Harvard Institute of Learning in Retirement, HILR I took courses in the environment. About 2008 I started the Catalyst Club with 7 other members of HILR.

**Co-leader of the Environmental Forum.** We held meetings at HILR about 2 times a month, invited speakers such as the head of the Dept of Environmental Regulations, and gave lectures ourselves. In 2010 I became coordinator. Our goal was to educate members of HILR and to encourage members to become activists like attending hearings at the State House and studying 2 communities to see difficulties in pursuing the Green Communities Act in Massachusetts.

**Courses given at Harvard Institute of Learning in Retirement (HILR)**
2013  The US Government’s Response to Climate Change- leader
2015  Corporations and Climate Change: Heroes or villains? Co-leader
2017-2018  In the Worldwide Struggle to fight Climate : Has the US Lost It’s Direction? Leader
2019-2020  Environmental Regulations in the Trump Administration- co-leader with a Univ. of Berkeley Professor of Law.

**Various lectures at other universities and Mayor Walsh’s award**  I have given lectures on many aspects of climate change at Harvard, Tufts, Brandeis, U. Mass and Regis College, Wentworth Institute of Technology “Mitigation and Adaptation” Lecture to the American Society of University Women.

These activities were recognized and Boston’s Mayor Walsh awarded me the Greenovate awards in 2015.

**A sampling of lecture given at HILR:** “net-zero buildings”; “My car got 125 miles/gallon”; All about the grid; Off-shore wind in MA; Industry and renewable energy; How renewable energy helps the poor and disadvantaged; China and renewable energy;
Activist role at Boston Convention Center

In 2014 I formed a coalition to educate the Boston Convention Exhibition Center (BCEC) on why they should send out an RFP for a net zero expansion of their facility. It was to be 1 million square feet, a single story, and a flat roof that longed for solar panels. My coalition consisted of a Nobel prize winner who helped write the IPPCC report and had his own net-zero home in western Mass; a global expert on air quality; a member of the MA Governors net-zero Council; a lawyer with global experience with high performance buildings; the head of the MIT Architecture School as an advisor; and the architect of the BRA as an advisor.

We asked for a meeting to advocate for a net-zero building. The participants were the CEO of the BCC, their lead counsel, the facility manager, board members and assorted managers. We presented our ideas and advocated to request an RFP for a net-zero expansion.

After 1 1/2 years the BCEC submitted an RFP for a net zero building, got 9 proposals and selected 3. However, Gov. Baker was elected and cancelled the expansion because of a budget concern.
ORLEANS ENERGY AND CLIMATE ACTION COMMITTEE

The Orleans Select Board hereby establishes a standing committee to be known as the Orleans Energy and Climate Action Committee, hereinafter defined as the Committee.

The Committee shall be composed of seven regular and two associate members who will serve staggered three-year terms, and who possess knowledge, experience, and interest in renewable energy, energy efficiency/conservation, and climate action.

1. The charge of the Committee is to:
   a) Educate the community on energy conservation and efficiency and climate action mitigation and adaption strategies.
   b) Reduce the community's contribution to climate change with a focus on ensuring our energy infrastructure is cleaner, leaner, and more resilient.
   c) Prepare, coordinate, and execute mitigation actions and adaptation strategies that anticipate and respond to the effects of climate change.

2. The Committee's work shall include, but is not limited to, the following:
   a) Educate residents and businesses on energy conservation and efficiency, expected climate change hazards, and impacts and mitigation opportunities.
   b) Establishment of energy and emissions inventories for the town and the setting of goals for energy and emissions reductions.
   c) Identify energy conservation and efficiency measures, including renewable energy and recycling options, that meet the goals and objectives established by the Select Board.
   d) Identify and assist with the development of town and regional energy projects.
   e) Identify and coordinate Green Community projects and grant opportunities for renewable energy.
   f) Encourage and participate in emergency planning.
   g) Formulate and advance mitigation and adaptation strategies to build on the town's Hazard Mitigation Plan to reduce vulnerabilities and with grant support from the Massachusetts Municipal Vulnerability Preparedness Grant Program, complete a vulnerability assessment and develop an action-oriented resiliency plan.
   h) With grant support from Massachusetts Coastal Resilience Grant Program, assist the shellfishing industry to develop a resiliency plan.
   i) Provide quarterly reports to the Select Board and Town Administrator on activities, findings, and recommendations. In developing its reports, the Committee shall work with and make recommendations to the Town Administrator and Select Board regarding the engagement of such outside sources and consultants as it believes are necessary to support its charge.
3. The Committee will work in cooperation with the Select Board and other standing town committees, as well as with town employees, in carrying out its charge. This will include but not be limited to:
   a) Affordable Housing Committee.
   b) Conservation Commission.
   c) Old King’s Highway Regional Historic District Committee.
   d) Open Space Committee.
   e) Planning Board (in assessing the efficacy of Town by-laws).
   f) Shellfish and Waterways Improvement Advisory Committee.
   g) Marine and Fresh Water Quality Committee.

The Committee will also seek the cooperation and assistance of relevant governmental agencies (e.g., Cape Light Compact, Cape Cod Commission, etc.), non-profit organizations, businesses, and the public.

Date of Original Approval: September 2, 2009
Date Revised: February 19, 2020
Date Revised: October 21, 2021
Date Revised: December 8, 2021
TOWN OF ORLEANS
COMMITTEE INTERVIEWS – APPOINTMENTS

Date: July 8, 2022
Committee: Shellfish & Waterways Advisory Committee

The Shellfish & Waterways Improvement Advisory Committee is comprised of 7 members and 2 associates appointed by the Select Board and serving a term of three years. During this meeting, the Board will be asked the following:

1. Craig Poosikian Requests reappointment Term end: 6/30/2025
   * willing to rotate to Associate seat if need be
2. Gerald Burge Does not request reappointment
3. Suzanne Phillips Elevate to regular member Term end: 6/30/2025
4. Doug Edmunds Elevate to regular member Term end: 6/30/2025
5. Mark Carroll Seeks appointment to Associate seat Term end: 6/30/2023

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<tr>
<th>COMMITTEE</th>
<th>MEMBERSHIP INFO</th>
<th>VACANCIES</th>
<th>TERM EXPIRES</th>
<th>COMMITTEE MEMBERS *two or more terms completed</th>
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<th>DATE APPOINTED</th>
<th>DATE APPT'D AS REGULAR MEMBER</th>
<th>REAPPOINTED/RE-ELECTED</th>
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<td>SHELLFISH &amp; WATERWAYS IMPROVEMENT ADVISORY COMMITTEE</td>
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<td>Peter Przygocki</td>
<td>R</td>
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<td>Doug Edmunds</td>
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Citizen Interest Form

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<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
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<tbody>
<tr>
<td>Mark Carroll</td>
<td>8/11/21</td>
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</tbody>
</table>

Residential Address
15 Shorewood Dr, Orleans, MA, 02653

Mailing Address
Same

Phone
508-255-4339

Email
Shaunyblue.comcast.net

1. Are you a full-time resident of the Town? [x] yes  [ ] no
2. Are you available to serve on a year-round basis? [x] yes  [ ] no
   If no, what is your availability?

3. Please list experience or educational background that may be helpful to your chosen Board, Committee, or Commission:
   I currently work for Ma DOT, and deal with DEP & Conservation with water restrictions etc etc etc.

4. What interests you most about this Board, Committee, Commission?
   To make our estuaries cleaner, also to see our Inlets & Harbors become more usable & safe.

Before submitting your interest form, please make sure this volunteer service is a good fit for your interests and time. During your interview with the Select Board, you will be asked which of the following steps you have taken to familiarize yourself:

- [ ] Confirm there is a vacancy on your B/C/C
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- [ ] Review the Charge of your chosen B/C/C
- [ ] Review meeting schedule for time commitment
- [ ] Contact the Chair of the B/C/C for information (Request contact from Town Administrator's office)
## TOWN OF ORLEANS BOARDS, COMMITTEES, AND COMMISSIONS

(please indicate up to 2 preferences)

- [ ] Affordable Housing Committee
- [ ] Affordable Housing Trust Fund Board
- [ ] Agricultural Advisory Council
- [ ] Architectural Review Committee
- [ ] Barnstable County Home Consortium
- [ ] Barnstable County Human Rights Comm.
- [ ] Bike & Pedestrian Committee
- [ ] Board of Assessors
- [ ] Board of Water & Sewer Commissioners
- [ ] Building Code Board of Appeals
- [ ] Cape Cod Commission
- [ ] Cape Cod Light Compact
- [ ] Community Preservation Committee
- [ ] Conservation Commission
- [ ] Council on Aging
- [ ] Cultural Council
- [ ] Finance Committee
- [ ] Fourth of July Committee
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- [ ] Marine & Fresh Water Quality Committee
- [ ] Memorial & Veterans Day Committee
- [ ] Open Space Committee
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- [ ] Planning Board
- [ ] Pleasant Bay Alliance Steering Committee
- [ ] Recreation Advisory Committee
- [ ] Renewable Energy/Wind Committee
- [ ] Shellfish & Waterways Advisory Committee
- [ ] Village Center Cultural District Committee
- [ ] Zoning Board of Appeals
- [ ] Zoning Bylaw Task Force
- [ ] Other (Dredge Committee, possibly waterway advisory)

Please submit this completed form to:
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For more information, please contact Molly Bates at 508-240-3700 x2415.
Thank you for your interest in our Boards and Committees!
ORLEANS SHELLFISH & WATERWAYS IMPROVEMENT ADVISORY COMMITTEE

COMMITTEE CHARGE

The Shellfish & Waterways Improvement Advisory Committee will consist of (7) regular members plus 2 associates appointed by the Board of Selectmen for overlapping three-year terms. Each member will serve for one or more three (3) year terms at the discretion of the Board of Selectmen. Priority will be given to appointing members who possess varied related backgrounds including, but not limited to, marine science, recreational fishermen/shell fishermen, recreational boaters, commercial marine, commercial shell fishermen, shellfish dealers, and aquaculture grant holders. At least two members need to be commercial fishermen, but this requirement may be waived if such an applicant cannot be identified. In this case, the committee will present alternate candidates to the Board of Selectmen.

General Purpose:

In its advisory capacity, the committee serves as a resource to the Town Administrator, Board of Selectmen (BOS), Harbormaster/Shellfish Constable and other town boards and committees, for issues related to preserving, protecting, managing, and enhancing our natural resources such as finfish, shellfish and public waterways. The primary overall goals are to:

Review, research and/or provide recommendations to the Board of Selectmen concerning coastal and shellfish projects, policies, and rules and regulations which may have an impact on the protection of ecologically and economically important finfish (e.g., herring, American eel), and shellfish resources.

Review, research and/or provide recommendations to the Board of Selectmen regarding efforts initiated by the Town to protect, maintain, develop and improve its navigable waterways and public resources, through transparent and environmentally sound means, and in a way that advocates for all waterway users.

Specific Roles:

The Committee may be called upon by the Town to participate in, or be responsible for the following activities which may include, but not limited to, the following:

Study matters presented by the Harbormaster/Shellfish Constable relating to the marine waterways of the town and make recommendations to him/her or the BOS as required.
Work with the Harbormaster/Shellfish Constable relating to the marine waterways of the town and make recommendations to him/her or the BOS as required.

Work with the Harbormaster/Shellfish Constable, to study and make recommendations to the Board of Selectmen on issues pertaining to harbor management, maintenance and navigation, maintenance of landings, the impact of waterfront development, docks and changing state and federal regulations on waterways.

Establish liaison with town Water Quality Committee(s) and the Orleans Conservation Commission, to identify problem areas resulting from road drainage, septic problems, and swimming pools that affect town waterways.

Establish liaison with the town Agricultural Advisory Council to work cooperatively as needed on issues related to special projects involving the enhancement or culture of shellfish, or to provide technical support related to shellfish aquaculture.

Promote increased education and awareness of the public regarding water quality and shellfishing issues which are not only of value, but a source of pride to the town.

Work with the Harbormaster/Shellfish Constable on matters related to shellfish management, including making written recommendations to the BOS. Such matters shall include, but not limited to the following:

- Working with the Harbormaster/Shellfish Constable to develop a program with Town funding for shellfish aquaculture propagation.
- Investigate the availability of State and Federal grants and funding and pursue obtaining them.
- Develop a plan and provide recommendations to the BOS regarding policies on shellfish regulations, propagation, and habitat protection, including aquaculture programs.
- Study and make recommendations regarding criteria for the harvesting of shellfish (i.e., sizes, etc.)
- Research and make recommendations regarding the establishment of new and innovative management efforts, or control efforts such as a trap program for invasive species (e.g., Green crab)
- Work to establish and maintain a balance of understanding between commercial and recreational shell fishermen.
- Maintain an active liaison with the Shellfish and Waterways program of Eastham, and with the Pleasant Bay Management Alliance, and other appropriate citizen environmental groups.

The Committee will meet once a month, 9-12 times per year, and file minutes with the Town Clerk within 30 days of its meetings, and will publicize monthly meeting in a timely manner to ensure the public is aware of the various issues. The Committee will submit a
written annual report to the Town Administrator's Office during the first week in January each year summarizing its activities during the previous year.

Date prepared: 7 October 1999
Date adopted: 13 October 1999
Date revised: 10 April 2012
Date adopted: 6 June 2012

Final revised “Draft” for Orleans Board of Selectmen Approval, revised 4/10/12
WASTEWATER MANAGEMENT ADVISORY COMMITTEE CHARGE

The Select Board will appoint an Advisory Committee comprised of one member of the following Town Boards, Committees or Commissions, or their designee:

1. Select Board
2. Board of Water & Sewer Commissioners
3. Board of Health
4. Planning Board
5. Marine & Fresh Water Quality Committee
6. Conservation Commission
7. Finance Committee (ex-officio)

Committee staff support will be provided by George Meservey, Community Development Director and engineering/technical services will be provided by Mike Giggey, P.E., Wright Pierce.

Background:

- The Town has a MassDEP approved Amended Comprehensive Wastewater Management Plan (CWMP) and has received voter approval to construct Phases 1 and 2 of the public sewer system. In accordance with the 2015 Consensus Agreement, the Town has studied alternative technologies to determine the advisability of utilizing less costly means of removing septic nitrogen before it reaches receiving waters.
- In the past year, the Town has become aware of requests to extend sewers to other areas for nitrogen removal, as well as to protect freshwater ponds from phosphorus loading.
- In October 2021, the Town engaged a wastewater engineering firm to coordinate the process of evaluating alternatives and advising the Town on activities that will achieve required water quality goals in a manner most beneficial to Orleans and its residents. Information generated from this work will assist the Town in determining the scope and timing of future phases of CWMP implementation.
- The current CWMP must be updated and filed by December 31, 2022 in accordance with the Notice of Project Change Certificate issued on April 19, 2019.

The committee is charged to work with staff and engineering/technical support to complete the following tasks:

1. Review past documents to gain a working knowledge of relevant studies & reports, key decisions and project milestones that may have a bearing on wastewater management.
2. Identify, complete and submit the required CWMP amendments in a timely manner.
3. Develop an understanding of work completed on alternative wastewater technologies that were recommended in the Consensus Agreement and have been evaluated since that time.
4. Develop an understanding of regulatory requirements to preserve and protect marine and freshwater bodies within the Town.
5. Determine if further investigation is needed on alternatives.
6. Develop a decision-making process for weighing the relative value, costs, and benefits of alternative technologies compared to traditional sewers for each watershed.
7. As part of the decision-making process, include public outreach and feedback (public participation document for reference).
8. As part of the decision-making process, work with the Town Administrator and Finance Director on long-range capital planning schedule taking into account the Town’s debt schedule in an effort to maintain a stable tax rate.
9. Provide quarterly updates to the Select Board on the recommended future sewer phases and/or permanent alternative technologies to meet MADEP requirements for water quality restoration.

Presented: May 11, 2022
Approved: June 8, 2022
**TOWN OF ORLEANS**  
**COMMITTEE INTERVIEWS – APPOINTMENTS**

Date: July 1, 2022  
Committee: Zoning Board of Appeals

The Zoning Board of Appeals is comprised of 5 members and 3 associates appointed by the Board of Selectmen and serving a term of three years. During this Selectmen’s meeting, the Board will be asked the following:

1. Michael Marnik - Does not request reappointment  
2. Gerald Mulligan - Requests reappointment  
3. Lynne Eickholt - Requests reappointment & elevation to regular member  
4. George Waugh - Does not request reappointment  
5. Matt Cole - Requests reappointment

### COMMITTEE MEMBERSHIP INFO

<table>
<thead>
<tr>
<th>VACANCIES</th>
<th>TERM EXPIRES</th>
<th>COMMITTEE MEMBERS</th>
<th>REG/ASSOC</th>
<th>DATE APPOINTED</th>
<th>DATE APPT'D AS REGULAR MEMBER</th>
<th>REAPPOINTED/RE-ELECTED</th>
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<tbody>
<tr>
<td>Appointed by BOS</td>
<td>23</td>
<td>23</td>
<td>Bruce Taub</td>
<td>R</td>
<td>9/3/2014</td>
<td>6/19/2019</td>
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<td>1</td>
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<td>Vacancy</td>
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<td>22</td>
<td></td>
<td>George Waugh A</td>
<td>3/6/2019</td>
<td></td>
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<tr>
<td>22</td>
<td></td>
<td>Matthew Cole A</td>
<td>11/12/2009</td>
<td>11/12/2009</td>
<td>12, 15, 19 (reg to assoc)</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory**  
Charter 6-3-1  
3 year term
# SEASONAL OUTDOOR ENTERTAINMENT LICENSE – Good Times Cape Cod

**REQUESTED BY:** Mihaela Miteva, Licensing & Procurement Agent

**DESIRED ACTION:** Discussion and vote on Seasonal Outdoor Entertainment License for Good Times Cape Cod, located at 8B Canal Road

**PROPOSED MOTION:** See action form

**ACTION TAKEN:**
- Moved By: ______________ Seconded By: ______________
- Condition(s):

**VOTED:**
- Aye _____ Nay_______ Abstain ________
TO: Orleans Select Board  
DATE: 07/06/2022  
ACTION: _____ x _____

AGENDA ITEM: DISCUSSION AND VOTE TO APPROVE A SEASONAL OUTDOOR ENTERTAINMENT LICENSE FOR NICOLE WAITE DBA GOOD TIMES, 8B CANAL RD.

BACKGROUND:
Nicole Waite dba Good Times located at 8B Canal Road, Orleans, has applied for Seasonal Weekday Outdoor Entertainment licenses from July 7, 2022 to November 30, 2022, Wednesday, Thursday, Friday and Saturday, between 4:30 p.m. and 8:30 p.m. for amplified recorded and live music and dancing by patrons and entertainers. The application is attached.

VOTE OPTIONS: THE TOWN ADMINISTRATOR RECOMMENDS MOTION 1.

MOTION 1: Vote to approve the request of Nicole Waite dba Good Times located at 8B Canal Road, Orleans for Seasonal Weekday Outdoor Entertainment license July 7, 2022, to November 30, 2022, for up to four days per week Wednesday, Thursday, Friday and Saturday, and up to four hours per day between 4:30 p.m. and 8:30 p.m. for amplified recorded and live music and dancing by patrons and entertainers, (with the following additional conditions ____________________) , subject to all local and state rules, regulations, bylaws, permits and approvals. Said license to expire on November 30, 2022, unless sooner revoked by the Select Board.

MOTION 2: Vote to schedule a public hearing and continue the request of Nicole Waite dba Good Times located at 8B Canal Road, Orleans for Seasonal Weekday Outdoor Entertainment license for amplified recorded and live music and dancing by patrons and entertainers until _________ (insert date & time).

MOTION 3: Vote to deny the request of Nicole Waite dba Good Times located at 8B Canal Road, Orleans for Seasonal Weekday Outdoor Entertainment license for amplified recorded and live music and dancing by patrons. (must state why denying license)

FISCAL IMPLICATIONS:
Filing fee $ 25.00  
Seasonal Weekday Outdoor Entertainment License fee $125.00  
Total Revenue $150.00

SELECT BOARD ACTION: APPROVED: ________________ DENIED: ________________
Application for License

SEASONAL OUTDOOR ENTERTAINMENT

The undersigned hereby applies for a license in accordance with the provisions of MA General Laws, Chapter 140 Sec. 183A amended, Chapter 351, Sec. 85 of Acts of 1981 and Chapter 140 Sec. 181.

NAME OF BUSINESS/CORP./NON-PROFIT: Good Times Cape Cod

NAME OF MANAGER: Nicole Waite

BUSINESS & Mailing ADDRESS:
86 Canal Rd Orleans MA 02653 / 541C Main St Harwichport MA 02646

EMAIL ADDRESS:
goodtimescapecod@gmail.com

PHONE: 508-9280-6462

Please check all that applies to the proposed entertainment:

1. Dancing: By Patrons ☒ By Entertainers ☐ No Dancing ☐
3. Shows: Theatre ☒ Movies ☐ Floor Show ☐ No Show ☐

Please Describe, including type of musical instruments:

Looking to have a few different bands play. Guitar, drums, bass, singers, tuba, harmonica.

HOURS OF ENTERTAINMENT: (Not to exceed 4-hour window between 11:30 a.m. and 8:30 p.m. The 4-hour window includes set-up time and sound checks)

4:30 - 8:30 pm

DAYS OF ENTERTAINMENT: (Not to exceed 4-days per week between April 1 and November 30, not limited to specific days)

Wed, Thurs, Fri, Sat

TOWN FEES: Filing Fee: $25.00 + License Fee:
Weekday License (Monday-Saturday): $125.00 Sunday License: $100.00
SUNDAY STATE FEES: $50.00 after 1:00 p.m. or $100.00 prior to 1:00 p.m.

PAID ON: 6/14/2022
CHECK #: 2208
Under Chapter 152, Section 25C, subsection 6, the Town of Orleans is now required to hold issuance or renewal of any license or permit to operate a business if a person does or Company does not have a certificate of Worker's Compensation Insurance. As part of renewal or issuance you must attach a copy of your certificate of insurance.

License requirements apply to all events, including town and non-profit sponsored. No light shows or pyrotechnics are permitted. Seasonal licensees' holders must provide an updated weekly event schedule to the Police Department and Town Administrator's Office. The Select Board reserves the right to impose additional conditions and/or require a public hearing prior to issuing any license.

In the space below, provide a detailed description of the proposed entertainment, show or event, and other information to assist the Licensing Authority in making a decision. Also, attach a sketch plan showing the location of entertainers, speaker system, direction of amplification, seating and dance areas.

Looking to have live music outside in the parking lot. Would like to have a grand opening celebration with 1-2 bands. Date to be determined pending licensing permits (potentially last weekend of June). Bands to be set back in parking lot and a small area for dancing.

Music speakers to face mini golf/wendy's side of canal rd. Also other area for dancing.

This license issued by this application is valid for the 22 Season from June 1 thru Nov provided that the type of entertainment specified above does not change. In the event of a change in type of entertainment different than indicated above, a new application will be required, and a new license issued.

By signing this form, the applicant certifies that he/she has read Chapter 272, Section 29 thru 31 of the Massachusetts General Law.

I, Nicole White, certify under the penalty of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Signature of Individual
of Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

Social Security (Voluntary) or Federal Identification Number

Date

Your social Security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. C. 36C s. 49A.

FOR OFFICE USE ONLY

APPROVED

LICENSE #

Revised: March 30, 2022

Adopted:
# SEASONAL OUTDOOR ENTERTAINMENT LICENSE – Orleans Bowling Center

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Mihaela Miteva, Licensing &amp; Procurement Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Discussion and vote on Seasonal Outdoor Entertainment License for Orleans Bowling Center, located at 191 Route 6A</td>
</tr>
<tr>
<td>PROPOSED MOTION:</td>
<td>See action form</td>
</tr>
<tr>
<td>ACTION TAKEN:</td>
<td>Moved By: ___________________ Seconded By: __________</td>
</tr>
<tr>
<td></td>
<td>Condition(s):</td>
</tr>
<tr>
<td>VOTED:</td>
<td>Aye _____ Nay_______ Abstain _______</td>
</tr>
</tbody>
</table>
AGENDA ITEM: DISCUSSION AND VOTE TO APPROVE A SEASONAL OUTDOOR ENTERTAINMENT LICENSE FOR ORLEANS BOWLING CENTER, INC. DBA THE ALLEY BOWLING + BBQ, 191 ROUTE 6A, DAVID CURRIER, MANAGER

BACKGROUND:
David Currier, Manager of Orleans Bowling Center, Inc. dba The Alley Bowling + BBQ, 191 Route 6A, has applied for Seasonal Outdoor Entertainment licenses between 4:00 p.m. and 8:00 p.m. for amplified recorded background music through two small house speakers. The application is attached.

VOTE OPTIONS: THE TOWN ADMINISTRATOR RECOMMENDS MOTION 1.

MOTION 1: Vote to approve the request of David Currier, Manager of Orleans Bowling Center, Inc. dba The Alley Bowling + BBQ, 191 Route 6A for Seasonal Outdoor Entertainment license for up to four days per week between 4:00 p.m. and 8:00 p.m. for amplified recorded music, (with the following additional conditions ________________________) , subject to all local and state rules, regulations, bylaws, permits and approvals. Said license to expire on November 30, 2022, unless sooner revoked by the Select Board.

MOTION 2: Vote to schedule a public hearing and continue the request of David Currier, Manager of Orleans Bowling Center, Inc. dba The Alley Bowling + BBQ, 191 Route 6A for Seasonal Outdoor Entertainment license for amplified recorded music until ____ (insert date) at ____ (insert time).

MOTION 3: Vote to deny the request of David Currier, Manager of Orleans Bowling Center, Inc. dba The Alley Bowling + BBQ, 191 Route 6A for Seasonal Outdoor Entertainment license for amplified recorded music (must state why denying license).

FISCAL IMPLICATIONS:

<p>| | |</p>
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<thead>
<tr>
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<tbody>
<tr>
<td>Filing fee</td>
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<tr>
<td>Seasonal Weekday Outdoor Entertainment License fee</td>
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</tr>
<tr>
<td>Total Revenue</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

SELECT BOARD ACTION: APPROVED: ________________ DENIED: ________________
Application for License

SEASONAL OUTDOOR ENTERTAINMENT

The undersigned hereby applies for a license in accordance with the provisions of MA General Laws, Chapter 140 Sec. 183A amended, Chapter 351, Sec. 85 of Acts of 1981 and Chapter 140 Sec. 181.

NAME OF BUSINESS/CORP./NON-PROFIT: The Alley Bowling + BBQ

NAME OF MANAGER: David Curries

BUSINESS & MAILING ADDRESS: PO Box 422 Orleans MA 02653

EMAIL ADDRESS: alley.bowling.bbg@gmail.com

PHONE: 508 737 7781

Please check all that applies to the proposed entertainment:

1. Dancing: By Patrons [ ] By Entertainers [ ] No Dancing [ ]
2. Music: Recorded [ ] Juke Box [ ] No Music [ ] Live Music [ ] Number of Musicians [ ] Amplification System [ ]
3. Shows: Theatre [ ] Movies [ ] Floor Show [ ] No Show [ ]

Please Describe, including type of musical instruments:

Small Speakers we have been using since we started

HOURS OF ENTERTAINMENT: (Not to exceed 4-hour window between 11:30 a.m. and 8:30 p.m. The 4-hour window includes set-up time and sound checks)

4 - 8 p.m.

DAYS OF ENTERTAINMENT: (Not to exceed 4-days per week between April 1 and November 30, not limited to specific days)

TOWN FEES: Filing Fee: $25.00 + License Fee:
Weekday License (Monday-Saturday): $125.00 Sunday License: $100.00
SUNDAY STATE FEES: $50.00 after 1:00 p.m. or $100.00 prior to 1:00 p.m.

PAID ON: 6/21/2022
CHECK: 1815
Under Chapter 152, Section 25C, subsection 6, the Town of Orleans is now required to hold issuance or renewal of any license or permit to operate a business if a person does or Company does not have a certificate of Worker’s Compensation Insurance. As part of renewal or issuance you must attach a copy of your certificate.

License requirements apply to all events, including town and non-profit sponsored. No light shows or pyrotechnics are permitted. Seasonal licensees’ holders must provide an updated weekly event schedule to the Police Department and Town Administrator’s Office. The Select Board reserves the right to impose additional conditions and/or require a public hearing prior to issuing any license.

In the space below, provide a detailed description of the proposed entertainment, show or event, and other information to assist the Licensing Authority in making a decision. Also, attach a sketch plan showing the location of entertainers, speaker system, direction of amplification, seating and dance areas.

Two small speakers for background noise

This license issued by this application is valid for the 2022 Season from June 21st thru Sept 30 provided that the type of entertainment specified above does not change. In the event of a change in type of entertainment different than indicated above, a new application will be required, and a new license issued.

By signing this form, the applicant certifies that he/she has read Chapter 272, Section 29 thru 31 of the Massachusetts General Law.

I, ____________________________ certify under the penalty of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

signature of Individual
of Corporate Name (Mandatory)

By: Corporate Officer
(Mandatory, if Applicable)

Date

Social Security (Voluntary) or Federal Identification Number

Your social Security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. C. 36C s. 49A.

FOR OFFICE USE ONLY

APPROVED __________________________ LICENSE # __________________________

Revised: March 30, 2022

Adopted: __________________________
MEET WITH TOWN COUNSEL

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Town Administrator</th>
</tr>
</thead>
</table>
| DESIRED ACTION: | Meet with Town Counsel Michael Ford for discussion and vote on the following items:  
  a. Review proposed Short Term Rental Registration Bylaw for the October Special Town Meeting  
  b. Vote to adopt and sign the Order of Taking for Cedar Pond Road parcels  
  c. Vote to adopt and sign the Order of Taking for Meeting House Pond area sewers |
| PROPOSED MOTION: | TBD |
| ACTION TAKEN: | Moved By: _______________  Seconded By: _______________  
  Condition(s): |
| VOTED: | Aye _____  Nay_______  Abstain _______ |
CHAPTER 132 SHORT TERM RENTAL PROPERTIES

§ 132.1 Purpose

The purpose of this chapter is to protect the health, safety, and welfare of both the occupants of short-term rental units and the general public and to maintain the quality of life in residential neighborhoods and the availability of the Town’s housing stock. It will assist the Town in the enforcement of state and local health and safety regulations and provide a method of correcting violations when requiring immediate attention.

§ 132.2 Legislative Intent and Authority

This Bylaw is adopted in accordance with General Laws c.64G, § 14, which authorizes municipalities to enact bylaws to regulate operators of Short-Term Rentals, and the Town’s Home Rule authority under the Massachusetts Constitution. Nothing herein shall interfere with the independent authority of the BOARD OF HEALTH to enact its own health and safety regulations with respect to Short-Term Rentals.

§ 132.3 Definitions

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

BOARD OF HEALTH The Board of Health of the Town of Orleans or its designees.

DWELLING Any building or area in a building used or intended for use for human habitation, including, but not limited to, apartments, condominiums, cottages, guesthouses, one-, two- or multiple-unit residential buildings/dwellings, except those licensed under any state or local laws or regulations other than those licensed under this chapter.

OCCUPANCY The use or possession of or the right to use or possess a short-term rental.

OCCUPANT (GUEST) Any individual residing overnight in a short-term rental.

OPERATOR (HOST) Any Person operating a short-term rental.

OPERATOR’S AGENT A Person who, on behalf of an operator of a short-term rental: (i) manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent. An “operator’s agent” shall include, but not be limited to, a property manager, property management company or real estate agent.

OWNER Any person whom alone or severally with others has legal or equitable title or a beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or other person appointed by the courts.

SHORT TERM RENTAL A residential dwelling or any bedroom within a dwelling rented out through the use of advance reservations, for a fee, for a period of not more than 31 consecutive calendar days, excluding: hotels licensed under M.G.L. Chapter, 140, §6; motels licensed under M.G.L. Chapter 140, §32B; lodging establishments licensed under M.G.L. Chapter 140, §23, or under any provision of the Orleans Zoning Bylaw.
§ 132.4 Short Term Rental Registration

A. Registration Required

No Owner shall rent, or offer to rent, any Short-Term Rental as that term is defined herein, prior to registering with the BOARD OF HEALTH. No tenant or lessee of an Owner shall let or sub-let a Short-Term Rental under any circumstances. Any Short-Term Rental required to be registered with the Commonwealth of Massachusetts with the applicable provision of General Laws Chapter 64G shall also be required to register with the Board of Health under the By-Law.

B. Compliance

A dwelling used as a Short-Term Rental shall be in compliance with the provisions of all state and local health and safety laws, ordinances and regulations. Demonstration of compliance shall be in the form of a sworn affidavit submitted as part of the registration application described in Section D below to the BOARD OF HEALTH prior to occupancy. Operators shall comply with all applicable federal, state and local laws, ordinances and regulations.

D. Application Required

The Owner of the dwelling shall be required to complete a short-term rental registration application, the form and content of which shall be provided by the BOARD OF HEALTH. Acceptance of a Short-term rental registration application by the Board of Health shall not be deemed a determination that the proposed Short-Term Rental is in compliance with the provisions of the Orleans Zoning Bylaw.

E. Registration Renewal

Short term rental registrations shall be renewed annually after a satisfactory inspection by THE BOARD OF HEALTH and all other applicable agencies and departments of the Town and upon payment of the renewal fee.

F. Fees

The fee for a short-term rental registration or a renewal of a registration shall be initially set at $___________________ thereafter may be modified by the Select Board after a public hearing.

G. Non-Transferability

Short term rental registrations shall be granted solely to an Owner and shall not be transferable or assigned to any other person, legal entity, or address. The registration does not run with the property; it shall be terminated upon sale or transfer of the property for which the registration has been issued.

§ 132.5 Publication of Registration Number

The Town-issued registration number shall be included on any listing offering the Short-Term Rental for rent.

§ 132.6 Contact Information of Owner, Operator and/or Operator’s Agent

A. An Owner of a Short-Term Rental shall provide the BOARD OF HEALTH with his/her current residential address and telephone number upon application for a Registration as well as a full and complete list of
persons or who have a direct or indirect interest in any property for which a Short-Term Rental Registration in the Town of Orleans has been issued or for which a Short-Term Rental Registration application is pending.

B. If the Owner is a corporation, the name, address, and telephone number of the president and legal representative of the corporation shall be provided. If the Owner is a realty trust or partnership, the name, address, and telephone numbers of the managing trustee or partner shall be provided.

C. The name and contact information of the Operator must be provided, along with the name and contact information of an Operator’s Agent, if different from the Operator, who is able to respond in person to any issues or emergencies that arise during occupancy within one (1) hour of contact by the Board of Health, Orleans Police or Fire Department to complaints regarding the condition or operation of the Short-Term Rental. Contact information must include a telephone number that is available 24 hours per day, 7 days a week to Short Term Rental Occupants and the above-stated public safety agencies. This contact information shall be included in the application for a Short-Term Rental Registration and shall be posted conspicuously within the rental unit.

§ 132.7 Posting of Notices

The Town shall provide information to each registered Operator summarizing the regulations for short term rentals. For each Short-Term Rental Registration issued, this will include, but shall not be limited to: the name and 24-hour contact information of the Operator or Operator’s Agent designated in the Application, requirements for trash removal, occupancy requirements, parking, and noise restrictions.

The Operator shall:

A. Provide occupants a copy of the provided information; and

B. Post the information, along with the Short-Term Rental Registration, in a conspicuous location within the Short-Term Rental.

§ 132.8 Trash Removal

The Short-Term Rental Operator shall be responsible for ensuring that household trash is removed from the premises immediately after Occupancy is concluded or once per week, whichever is more frequent.

§ 132.9 Occupancy Requirements

The maximum number of Occupants in a Short-Term Rental shall be 2 per bedroom, plus additional two occupants. There shall be a maximum of ________ guests permitted to visit a Short-Term Rental at any one time.

& 132.10 Parking

All parking associated with the operation of a Short-Term Rental shall be on the registered premises. There shall be no off-premises parking.

§ 132.11 Smoke Detectors and Carbon Monoxide Alarms

Each Short-Term Rental shall contain functional smoke detectors and carbon monoxide alarms. In addition, the Operator shall provide and maintain one 2.5 lb. multi-purpose fire extinguisher on each
floor. Extinguishers shall be maintained or replaced in accordance with the manufacturer’s specifications. Operators shall test and perform maintenance on every smoke detector, carbon monoxide alarm upon renewal of the Short-Term Rental Registration. Any detector or alarm found to be defective shall be repaired or replaced forthwith. The Occupant(s) shall be notified to report faulty or inoperative smoke detector unit(s) to, first, the owner of the dwelling and, second, the Orleans Fire Department.

§ 132.12 Keeping of Register

The Operator or Operator’s Agent shall be responsible for keeping a register containing the name of the Occupant who is the leaseholder, total number of occupants, and dates of occupancy. The register shall be retained for a period of two (2) years and shall be made available upon request to the Board of Health, police, or other duly appointed or authorized code compliance staff of the Town of Orleans.

§ 132.13 Failure to Pay or to Make Suitable Arrangements for the Payment of Municipal Taxes, Fees, Assessments, and Charges

The privilege of receiving or holding a Short-Term Rental Registration is contingent upon the timely payment of municipal taxes, fees, assessments, and charges. Failure of a Person to comply with this requirement shall be cause, after notice and hearing pursuant to the requirements of G.L. c. 40, § 57, for denial, suspension, amendment, or revocation of a Short-Term Rental Registration for any and all property in which the person holds a direct or indirect ownership interest, as above defined.

§ 132.14 Inspections

Short term Rentals shall be subject to reasonable inspections by the BOARD OF HEALTH, and all other applicable agencies or departments of the Town.

§ 132.15 Enforcement

The Select Board or its designee may issue orders as appropriate to aid in the enforcement of this Bylaw and may enforce these provisions in equity, including the request for injunctive relief in a court of competent jurisdiction or enforcement by noncriminal disposition pursuant to G.L. c. 40, § 21D. Any failure to comply with any order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of $100.00. Any failure to comply after the issuance of said final fine may be punishable by a subsequent fine of $300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Select Board may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.

§ 132.16 Penalties

If any Occupant, Operator or Owner violates any provision of this chapter, the Owner may be subject to a fine in accordance with the following:

• $150 1st Offense
• $300 2nd Offense – and each subsequent offense

§ 132.17 Regulations
The Orleans Select Board, upon receiving recommendations from the BOARD OF HEALTH, may adopt regulations, policies and procedures for the implementation of this chapter including imposing a limitation on the total number of Short-Term Rentals which may be registered within the Town in any one year.

§ 132.18 Severability

Each provision of this Chapter shall be construed as separate. If any part of this Chapter shall be held invalid for any reason, the remainder shall continue in full force and effect. In the event of a conflict between this chapter and any other chapter of the Orleans Town Code, this chapter shall control.
COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS. TOWN OF ORLEANS
OFFICE OF THE SELECT BOARD

ORDER OF TAKING

At a regularly scheduled meeting of the Select Board of the Town of Orleans, a municipal corporation located in the County of Barnstable, Commonwealth of Massachusetts (the “Town”) held on the _________ day of July, 2022, it was voted and ordered as follows:

The Select Board of the Town of Orleans, duly elected, qualified, and acting as such, on behalf of the Town and by virtue of and in accordance with the authority of the vote of the Town while acting under Article 24 of the Warrant for the Annual Town Meeting, legally called and held on May 9, 2022, and pursuant to the provisions of Massachusetts General Laws Chapter 79, and any and every other power and authority as hereto in any way enabling, having duly complied with all the preliminary requirements prescribed by law, do hereby take by eminent domain in fee simple absolute, on behalf of the Town, to be under the jurisdiction and control of the Conservation Commission pursuant to the provisions of Massachusetts General Laws, Chapter 40, §8C, for open space and conservation purposes, the parcels of land located in Orleans, Barnstable County, Massachusetts, being more particularly bounded and described as follows:

The land located at 0 Cedar Pond Road, Orleans, Massachusetts, and being shown on Orleans Assessor’s Map 25 as Parcels 31-0, 31-1 and 31-2. A copy of said Assessor’s Map 25 is attached hereto and incorporated herein as Exhibit A.

This Order of Taking is subject to the rights and easements of any public utility companies which may have easements in the land hereby taken. Any trees, buildings, or other structures on the above-described land are included in this Order of Taking. No betterments are to be assessed in connection with this Order of Taking.

The names of the owners, areas of taking and awards, if any are as follows:

<table>
<thead>
<tr>
<th>Map/Parcel</th>
<th>Owner</th>
<th>Area</th>
<th>Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map 25/31-0</td>
<td>Owners Unknown</td>
<td>5.18 Acres, +/-</td>
<td>-0-</td>
</tr>
<tr>
<td>Map 25/31-1</td>
<td>Owners Unknown</td>
<td>.55 Acres, +/-</td>
<td>-0-</td>
</tr>
<tr>
<td>Map 25/31-2</td>
<td>Owners Unknown</td>
<td>.75 Acres, +/-</td>
<td>-0-</td>
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</tbody>
</table>
Adopted and dated at Orleans, Massachusetts, this_____day of July, 2022.

TOWN OF ORLEANS SELECT BOARD

____________________________________
Andrea Shaw Reed, Chair

____________________________________
Michael Herman, Vice Chair

____________________________________
Mefford R. Runyon, Clerk

____________________________________
Mark W. Mathison

____________________________________
Kevin Galligan

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

On this the_______day of July, 2022, before me, the undersigned notary public, personally appeared ______________________________________________________, proved to me through satisfactory evidence of identification which was personal knowledge, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it freely and voluntarily for its stated purpose.

________________________________
Notary Public

My commission expires:
EXHIBIT A

[ATTACH COPY OF ORLEANS ASSESSOR MAP 25]
6 Cedar Pond Purchase Summary

• The Ask: The Open Space Committee requests Select Board approval of the purchase of 6 Cedar Pond Road for $5000.

• Why buy?

  o Purchase is consistent with, and reinforces two decades of *Town efforts to improve an impaired Pond*.
  
  o It assists in protecting a rare White Cedar Swamp

  o Builds on eminent domain taking of “0 Cedar Pond” parcels

  o It is supported by the Cedar Pond Management Planit

  o It closely abuts State, Town and OCT parcels, filling a mosaic

  o Town Meeting approved it in CPC Article 15, parcel 3.

• Property Background for 6 Cedar Pond Road

  o Acreage: .6 acres

  o Last purchased in 2016 for $1600

  o 2022 assessed value: $1600.

  o Formal appraised value: $4400

• Negotiation details on 6/29/22, in text communication:

  o **OSC offer:** “The Open Space Committee offers you $4,400 for your 6 Cedar Pond Rd parcel”. Signed, Robert Cunningham, Chair, Open Space Committee”.

  o **Sellers’ response:** Hi Robert - Thank you for the offer from The Open Space Committee in the amount of $4,400. We are countering to the offer in the amount of $5,000. [Signed by Sellers]
At a regularly scheduled meeting of the Select Board of the Town of Orleans, a municipal corporation located in the County of Barnstable, Commonwealth of Massachusetts (the “Town”) held on the _______ day of ____________, 2022, it was voted and ordered as follows:

The Select Board of the Town of Orleans, duly elected, qualified, and acting pursuant to the provisions of G.L. c. 79, G.L. c. 83, §1 and §3, and any and every other power and authority as hereto in any way enabling, does hereby take on behalf of the Town, permanent easements in, on, under and across the parcels of land in Orleans, known as Linden Lane, Packet Landing, Lucy’s Lane, Uncle Vick’s Way, Larboard Lane, Karen Way, Natural Drive, Windy Hill Lane, Pond View Road, Grist Road, High Tide Lane, Cedar Way, Lake Farm Lane, Bayberry Way, Cole Place, Manito Way, Cheney Road, Loomis Lane, Nauset Farms Way, Gesner Road, Reverend Treat Road, Baxter Lane, Whistle Berry Lane, Periwinkle Road, and a certain 20 foot Way on Main Street (collectively, the “Easement Premises”), and described more particularly in Exhibit A, attached hereto and incorporated herein, for the purpose of constructing, inspecting, maintaining, operating, improving, repairing, renewing, replacing and abandoning in place (a) a sewer system and any and all structures and facilities related thereto, including, without limitation, manholes, lines, mains, pipes, conduits, pump stations and such other structures, facilities and/or appurtenances as may be necessary or convenient to establish a public sewerage system, including, without limitation, for the purpose of extending and/or connecting, regardless of origin, to other land, and (b) stormwater drain or drains, drainage swales, detention or retention basins, and any manhole, pipes, catch basins, conduits, culverts, channels, and such other structures, facilities and/or appurtenances as may be necessary or convenient for the proper drainage of stormwater, including, without limitation, for the purpose of extending and/or connecting drainage facilities, regardless of origin, to other land; and, further, to take any and all actions as may be necessary or incidental to accomplish the foregoing purposes.

The Town shall have the right to enter upon and pass over the Easement Premises from time to time, by foot, vehicle, or heavy equipment, for any and all purposes stated herein and uses necessary or incidental thereto, including, without limitation, using and temporarily storing, as needed, construction equipment, materials or other incidental items within the Easement Premises for the purposes set forth herein. All sewer and drainage facilities installed by the Town shall be and remain the property of the Town.
No permanent or temporary buildings, structures, and/or objects shall be constructed, installed, maintained and/or placed upon the Easement Premises that may interfere with the rights hereby taken.

Trees, shrubs and stone walls located within the Easement Premises are also taken hereby and shrubs and stone walls may be relocated within the easement area. Other structures so located are not taken and shall be removed or may be relocated within the Easement Premises whenever their removal or relocation shall be required for the purposes for which the easements are taken.

The Town is not hereby taking any interest in existing easements, if any affecting the Easement Premises that do not interfere with the use of the premises for the purposes for which the easements are taken, and is not taking any structures located within the Easement Premises pursuant to any such existing easements but such structures may be relocated.

The land affected by the herein taking are owned or supposedly owned by the owners listed in Exhibit B attached hereto and incorporated within. If in any instance the name of any owner is not correctly stated in Exhibit B, it is understood that in such instance the land referred to is owned by an owner or owners unknown to us.

We have determined that no persons will sustain damages in their property by reason of the herein taking, all in accordance with the provisions of G.L. c.79, §6, as amended, and accordingly award no damages for this taking.

Betterments are to be assessed in accordance with Massachusetts General Laws Chapter 83, §§ 14 and 15 and Chapter 80.
Adopted and dated at Orleans, Massachusetts, this_____day of__________, 2022.

TOWN OF ORLEANS SELECT BOARD

____________________________________
Andrea Shaw Reed, Chair

____________________________________
Michael Herman, Vice Chair

____________________________________
Mefford R. Runyon, Clerk

____________________________________
Mark W. Mathison

____________________________________
Kevin Galligan

COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, SS.

On this the_____day of __________, 2022, before me, the undersigned notary public, personally appeared ____________________________________________________, proved to me through satisfactory evidence of identification which was personal knowledge, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it freely and voluntarily for its stated purpose.

____________________________________
Notary Public
My commission expires:
EXHIBIT A

EASEMENT PREMISES

The Easement Premises are described more particularly as follows:

(a) The parcel of land known as “Linden Lane” and shown on Land Court Plan No. 17687-G filed with the Barnstable Registry District of the Land Court.

(b) The parcel of land known as “Packet Landing” and shown on Land Court Plan No. 17687-C filed with the Barnstable Registry District of the Land Court.

(c) The parcel of land known as “Lucy’s Lane” and shown on a plan entitled “Plan of Land in Orleans, Mass to be conveyed to Everett C. Winslow, Jr.” dated September 1954, recorded with the Barnstable County Registry of Deeds (the “Registry”) in Plan Book 117 Page 39, being the area shown thereon as “40 ft Proposed Way” and the parcel of land shown as “Right of Way to River Rd.” on a plan entitled “Plan of Land in Orleans Mass. Made for Swift H. Godshalk” dated Aug. 1959, recorded in the Registry Plan Book 152 Page 111.

(d) The parcel of land known as “Uncle Vick’s Way” and shown on a plan entitled “‘Vick’s Hill Estates’ Land in Orleans” dated May 1966, recorded in the Registry Plan Book 204 Page 1.

(e) The parcel of land known as “Larboard Lane” and shown as “40 Ft. private way” on a plan entitled “Subdivision of Land in Orleans (East), Mass.” Dated March 1967, recorded with the Registry in Plan Book 211 Page 99.

(f) The parcel of land known as “Karen Way” and shown as “Way” on a plan entitled “Subdivision Plan of Land in East Orleans” dated December 1964 recorded with the Registry in Plan Book 190 Page 133.

(g) The parcel of land known as “Natural Drive” and shown on a plan entitled “Subdivision Plan of Land in East Orleans” dated May 1964, recorded with the Registry Plan Book 186 Page 81.

(h) The parcel of land known as “Windy Hill Lane” and shown on a plan entitled “Subdivision of Properties in Orleans (east), Mass. Belonging to Stuart E. Hockenbury et ux” dated January 1958, recorded with the Registry in Plan Book 140 Page 67.

(i) The parcel of land known as “Pond View Road” and shown on a plan entitled “Plan of Land in Orleans Mass as subdivided by Paul W. Cheney” dated June 1952, recorded with the Registry in Plan Book 104 Page 155.
(j) The parcel of land known as “Grist Road” and shown on a plan entitled “Subdivision of Land in Orleans (east), Mass. As surveyed for Charles M and Dorothy W. Campbell” dated February 1958, recorded with the Registry in Plan Book 141 Page 33.

(k) The parcel of land now known as “High Tide Lane” and shown on a plan entitled “Subdivision of Land in Orleans (east), Mass. As surveyed for Charles M and Dorothy W. Campbell” dated February 1958 (shown thereon as “Tide Lane”), recorded with the Registry in Plan Book 141 Page 33 and shown on a plan entitled “Subdivision of Land in Orleans East Mass. known as ‘Pawidaja Village’” dated February 1952 (shown thereon as “Tide Lane”), recorded with the Registry in Plan Book 102 Page 129.

(l) The parcel of land shown as “Cedar Way” and shown on a plan entitled “Subdivision of Land in Orleans East Mass. known as ‘Pawidaja Village’” dated February 1952, recorded with the Registry in Plan Book 102 Page 129.

(m) The parcel of land known as “Lake Farm Lane” and shown on a plan entitled “Subdivision Plan of Land in Orleans, Massachusetts prepared for Preservation Advocacy Trust” dated January 30, 1987, recorded with the Registry in Plan Book 434 Page 38.


(o) The parcel of land known as “Cole Place” and shown on a plan entitled “Plan of Land in Orleans (east), Mass.” dated November 1956, recorded with the Registry in Plan Book 133 Page 35.


(q) The parcel of land known as “Cheney Road” and shown on a plan entitled “Subdivision of Land in Orleans Mass made for Howard M. Rogers” dated July 1959, recorded with the Registry in Plan Book 150 Page 107.


(s) The parcel of land now known as “Nauset Farms Way” and shown on a plan entitled “‘Nauset Farms’ Subdivision Plan of Land in Orleans Mass. made for Alfred S. Demott and Lois E. Demott” dated December 1969 (shown thereon as “Demott’s Way”), recorded with the Registry in Plan Book 240 Page 119.
(t) The parcel of land known as “Gesner Road” and shown (portions thereof) on plans recorded with the Registry in Plan Book 95 Page 129, Plan Book 158 Page 47, and Plan Book 479 Page 74, and further shown on Orleans Assessor’s Map 42, a copy of which is attached hereto.

(u) The parcel of land known as “Reverend Treat Road” and shown on a plan entitled “Subdivision Plan of Land in Orleans Mass. made for Lewis F. Gill and Edith R. Gill” dated Sept. 1966, recorded with the Registry in Plan Book 208 Page 5.

(v) The parcel of land known as Baxter Lane and shown on __________.

(w) The parcel of land shown on a plan entitled “Subdivision Plan of Land in Orleans (East) Mass. as prepared for Ricardo A. Viprino et ux (Grace M.) dated May 1965, recorded with the Registry in Plan Book 194 Page 25, and further shown as “Whistle Berry Lane” on the Orleans Assessor’s Map 35, a copy of which is attached hereto.

(x) The parcel of land shown as “20 Ft. Way” on a plan entitled “Subdivision Plan of Land in Orleans (East) Mass. property of Benjamin R. Clements et ux” dated June 1965, recorded with the Registry in Plan Book 210 Page 21, and further shown as “Periwinkle Road” on the Orleans Assessor’s Map 35, a copy of which is attached hereto.

(y) The parcel of land located on Main Street (Town Road) and shown as “20 ft. Way” on a plan entitled “Subdivision of Land in Orleans, Mass. as surveyed for James F. Shaw et ux” dated October 1956, recorded with the Registry in Plan Book 131 Page 129, a copy of which is attached hereto.
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<thead>
<tr>
<th>PROPERTYADDRESS (ORLEANS, MA)/ASSESSOR MAP</th>
<th>RECORD OWNER</th>
<th>DEED / CERTIFICATE PLAN REFERENCE</th>
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<tbody>
<tr>
<td>47 River Road Map 42-39</td>
<td>Paul J. Marinaccio, Trustee Marinaccio Family Realty Trust u/d/t dated January 13, 2017 (remainder in fee) Paul J. Marinaccio (Life Estate) 47 River Road Orleans, MA 02653</td>
<td>Certificate 212085 Lot 19 Plan 17687-G</td>
</tr>
<tr>
<td>5 Linden Lane Map 42-44</td>
<td>Roy H. Setterlund and Deborah L. Mariani 5 Linden Lane Orleans MA 02653</td>
<td>Certificate 205867 Lot 20 Plan 17687-G</td>
</tr>
<tr>
<td>7 Linden Lane Map 42-43</td>
<td>Arthur C. Marsh and Kathleen B. Marsh, as Trustees of the Marsh-Linden Lane Realty Trust u/d/t dated January 13, 2000 PO Box 801 E Orleans, MA 02643</td>
<td>Certificate 156522 Lot 21 Plan 17687-G</td>
</tr>
<tr>
<td>8 Linden Lane Map 42-41</td>
<td>Dennis F. Repoli and Pamela J. Repoli 543 Main Street S Glastonbury CT 06073</td>
<td>Certificate 226525 Lot 23 Plan 17687-G</td>
</tr>
<tr>
<td>9 Linden Lane Map 42-42</td>
<td>Tahani A. Rivers, as trustee of the Rivers Family Trust u/d/t dated October 23, 2018 9 Linden Lane Orleans, MA 02653</td>
<td>Certificate 217859 Lot 22 Plan 17687-G</td>
</tr>
<tr>
<td>6 Linden Lane Map 42-40</td>
<td>Robert H. Warburton, Jr. and Kathleen A. Warburton PO Box 2822 Orleans, MA 02653</td>
<td>Certificate 148958 Lot 18 Plan 17687-G</td>
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<td>PROPERTY ADDRESS</td>
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<tr>
<td>6 Packet Landing Map 42-22</td>
<td>Kathleen Haynes Defanti, Trustee of the 6 Packet Landing Real Estate Trust under a Declaration of Trust dated August 6, 2020 6 Packet Landing Orleans, MA 02653</td>
<td>Certificate 224052 Lot 3 Plan 17687-C</td>
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<tr>
<td>10 Packet Landing Map 42-23</td>
<td>Judith T. Katherman PO Box 79 East Orleans, MA 02643</td>
<td>Certificate 160157 Lot 4 Plan 17687-C</td>
</tr>
<tr>
<td>14 Packet Landing Map 42-24</td>
<td>Carol A. Paskiewicz, as trustee of Carol A. Paskiewicz Trust Agreement u/d/t dated July 22, 1999 (Doc. No. 792,050) 13 Ellwood Road Kensington, CT 06037</td>
<td>Certificate 156567 Lot 5 Plan 17687-C</td>
</tr>
<tr>
<td>7 Packet Landing Map 42-18</td>
<td>Bruce J. Ryan, Trustee of the Bruce J. Ryan Trust u/d/t dated 8/1/13 and Kathleen M. Ryan, Trustee of the Kathleen M. Ryan Trust u/d/t dated 8/1/13 Orleans, MA 02653</td>
<td>Certificate 214597 Lot 16 Plan 17687-E</td>
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<td>9 Packet Landing Map 42-19</td>
<td>Richard E. Petrino and Patricia R. Petrino, 12 Sleepy Hollow Road Kinnelon, NJ 07405</td>
<td>Certificate 220865 Lot 10 Plan 17687-C</td>
</tr>
<tr>
<td>13 Packet Landing Map 42-16</td>
<td>Helen A Richardson, David E. Wilbur and Richard L. Wilber, Trustees of the Helen A Richardson 2007 Declaration of Trust under a Declaration of Trust dated July 12, 2007 and restated as of August 22, 2018 and further amended by First Amendment dated November 16, 2020 Orleans, MA 02653</td>
<td>Certificate 199958 Lot 9 Plan 17687-C</td>
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</table>
Stephen H. Tyng, Trustee of the Barbara C. Tyng Living Trust Agreement under a Declaration of Trust dated March 13, 2014  
PO Box 621  
East Orleans, MA 02653 | Certificate 203304  
Lot 14 Plan 17687-D |
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<tbody>
<tr>
<td>16 Lucy’s Lane Map 42-52</td>
<td>Sarah Woodward Yingling and Anne Woodward Laird 731 Fairacres Ave Westfield, NJ 07090</td>
<td>Book 31896 Page 300 Lot A Plan Book 117 Page 39</td>
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<td>7 Lucy’s Lane Map 42-49</td>
<td>Lucy’s Lane Revival, LLC c/o Ament Klauer LLP 39 Town Hall Square Falmouth, MA 02540</td>
<td>Book 34043 Page 2</td>
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<tr>
<td>15 Lucy’s Lane Map 42-50</td>
<td>John Hidden and Cheryl Hidden 138 Old Redding Road Weston, CT 06883</td>
<td>Book 32498 Page 58 Lot 1 Plan Book 473 Page 94</td>
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<tr>
<td>4 Lucy’s Lane Map 42-46</td>
<td>Brian W. McNally and Sharon W. McNally 492 Beacon Street, Apt 54 Boston, MA 02115</td>
<td>Certificate 174522 Lot 2 Plan 17688-B Book 19075 Page 144 Lot 3 Plan Book 152 Page 111</td>
</tr>
<tr>
<td>17 Lucy’s Lane Map 42-51</td>
<td>Sarah Lea Woodward Yingling and Anne Osborn Woodward Laird 731 Fairacres Ave Westfield, NJ 07090</td>
<td>Book 31896 Page 303</td>
</tr>
<tr>
<td>67 River Road Map 42-48</td>
<td>Matthew T. Menard and Wendy Harrington 4 Millstone Lane Lincoln, MA 01773</td>
<td>Book 30892 Page 317</td>
</tr>
<tr>
<td>59 River Road Map 42-45</td>
<td>Frances Baldessarini 49 Nehoiden Waban, MA 02468</td>
<td>Certificate 183821 Lot 1 Plan 17688-B Lot 17 Plan 17687-F</td>
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<tr>
<td>67 River Road Map 42-48</td>
<td>Matthew T. Menard and Wendy Harrington 4 Millstone Lane Lincoln, MA 01773</td>
<td>Book 30892 Page 317</td>
</tr>
<tr>
<td>59 River Road Map 42-45</td>
<td>Frances Baldessarini 49 Nehoiden Waban, MA 02468</td>
<td>Certificate 183821 Lot 1 Plan 17688-B Lot 17 Plan 17687-F</td>
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<td>(ORLEANS, MA)/ ASSESSOR MAP</td>
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</table>
| 4 Uncle Vick’s Way Map 41-40 | Robert B. Wilcox  
PO Box 501  
Orleans, MA 02653 | Book 2931 Page 232  
Lot 3 Plan Book 153/67 |
| 5 Misty Lane Map 41-41 | Town of Orleans | Book 15911 Page 282  
Book 19476 Page 156 |
| 10 Uncle Vick’s Way Map 41-42 | Lawrence E. Wilcox, Trustee  
Wilcox Family Trust, u/d/t dated June 16, 1986 recorded in Book 5136 Page 163  
PO Box 1291  
Orleans, MA 02653 | Book 5136 Page 167  
Lot 1 Plan Book 204/1 |
| 14 Uncle Vick’s Way Map 41-43 | Michael J. Byrne  
454 Prospect Avenue  
Brooklyn, NY 11215 | Book 25581 Page 309  
Lot 3 Plan Bk 204/1 |
| 18 Uncle Vick’s Way Map 41-44 | Robert Doiron and Pamela Doiron  
Orleans, MA 02653 | Book 31027 Page 162  
Lot 4 Plan Bk 204 Page 1 |
| 22 Uncle Vick’s Way Map 41-45 | Carl Demaria and Diane Demaria  
37 Oak Street  
White Plains, NY 10607 | Book 10786 Page 190  
Lot 5 Plan Bk 204 Page 1 |
| 24 Uncle Vick’s Way Map 41-46 | Yun-Sun Kang and Young-Joo Lee  
7006 Alicent Place  
McLean, VA 22101 | Book 26425 Page 230  
Lot 6 Plan Bk 204 Page 1 |
| 30 Uncle Vick’s Way Map 41-47 | William B. Moore and Nancy J. Moore  
PO Box 1426  
Orleans, MA 02653 | Book 4366 Page 327  
Lot 7 on Plan Book 204/1 |
Kevin A. Clements and Elaine K. Clements, Trustees of the Kevin A Clements Revocable Trust, dated June 23, 2009 | Book 24058 Page 270  
Book 24058 Page 266  
Lot 8 Plan Bk 204/1 |
<table>
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<tr>
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<th>Record Owner</th>
<th>Deed / Certificate Plan Reference</th>
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<tbody>
<tr>
<td>29 Uncle Vick’s Way, Map 41-49</td>
<td>Janice G. Reynolds, Trustee of The Janice G. Reynolds Revocable Trust, u/d/t dated April 24, 2015 Orleans, MA 02653</td>
<td>Book 28860 Page 136 Lot 9 Plan Bk 204 Page 1</td>
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<tr>
<td>15 Uncle Vick’s Way, Map 41-51</td>
<td>William J. Werner and Raymond F. Werner 513 South Mountain Road New City, NY 10956</td>
<td>Book 4596 Page 121 Lot 11 Plan Bk 204 Page 1</td>
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<tr>
<td>9 Uncle Vick’s Way, Map 41-52</td>
<td>Craig Oliveira and Erica Tasha-Oliveira Orleans, MA 02653</td>
<td>Book 34265 Page 88 Lot 10 Plan Bk 204 Page 1</td>
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<tr>
<td>24 Monument Road, Map 41-53</td>
<td>Anthony J. Cincotta and Lynn C. Cincotta Orleans, MA 02653</td>
<td>Book 29708 Page 289 Lot 2 Plan Bk 153 Page 67</td>
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**Larboard Lane**

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<th>Property Address (Orleans, MA)/ Assessor Map</th>
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<th>Deed / Certificate Plan Reference</th>
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<tbody>
<tr>
<td>4 Larboard Lane, Map 36-111</td>
<td>Robert P. Boffoli and Cynthia H. Boffoli PO Box 1468 East Orleans, MA 02643</td>
<td>Book 29557 Page 12 Lot 1 Plan Book 211/99</td>
</tr>
<tr>
<td>10 Larboard Lane, Map 36-113</td>
<td>Barry N. McManus and Amanda Haines 276 County Road Bourne, MA 02532</td>
<td>Book 33935 Page 98 Lot 3 Plan Book 211/99</td>
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<tr>
<td>9 Larboard Lane, Map 36-114</td>
<td>Dean Wiegers and Edna Wiegers 9 Larboard Lane East Orleans, MA 02653</td>
<td>Deed 15863 Page 1 Lot 4 Plan Book 211/99</td>
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| 7 Meetinghouse Lane  
Wilbraham, MA 01095 |
|---|---|
| 3 Larboard Lane  
Map 36-116 |
| Janet C. Taylor, Trustee of The Janet C  
Taylor Revocable Living Trust Agreement  
Dated April 1 2002 recorded in Book  
15156 Page 235 (1/2 interest) |
| Janet C. Taylor, Trustee of The R. Bruce  
Taylor Revocable Living Trust Agreement  
Dated April 1 2002 and recorded in Book  
15156 Page 221 (1/2 interest) |
| R Bruce Taylor died 11/6/2014  
Janet C. Taylor accepted appointment  
Trustee Book 28528 Page 219 |
| Book 15156 Page 250  
Lot 8 Plan Bk 211 Page 99 |
<table>
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<tr>
<th>PROPERTY ADDRESS (ORLEANS, MA)/ASSESSOR MAP</th>
<th>RECORD OWNER</th>
<th>DEED / CERTIFICATE PLAN REFERENCE</th>
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</thead>
<tbody>
<tr>
<td>30 Karen Way Map 35-38</td>
<td>Thomas Newman 518 Main Street, Apt 67 E. Haven CT 06612</td>
<td>Book 31433 Page 248 Lot B Plan Book 293 Page 15</td>
</tr>
<tr>
<td>17 Karen Way Map 35-43</td>
<td>Scott V. Barron and Patricia G. Barron PO Box 1860 Orleans, MA 02653</td>
<td>Book 27635 Page 213 Lot 5 Plan Book 190/133</td>
</tr>
<tr>
<td>22 Karen Way Map 35-44</td>
<td>Peter B. Zimmerman &amp; Judith K. Zimmerman PO Box 1628 Orleans, MA 02653</td>
<td>Book 27506 Page 2 Lot 7 Plan Book 190/133</td>
</tr>
<tr>
<td>18 Karen Way Map 35 – 45</td>
<td>Thomas D. And Martha W. Hanrahan PO Box 773 East Orleans, MA 02643</td>
<td>Book 28809 Page 87 Lot 6 Plan Book 190/133</td>
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<tr>
<td>Address</td>
<td>Owner</td>
<td>Book/Page</td>
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</tr>
<tr>
<td>180 Main Street</td>
<td>Stuart A. McLean</td>
<td>Book 32254 Page 152</td>
</tr>
<tr>
<td>Map 35-37</td>
<td>15 Clifford Ave</td>
<td>Lot A on Plan Book 293</td>
</tr>
<tr>
<td></td>
<td>Pelham, NY 10803</td>
<td>Page 15</td>
</tr>
<tr>
<td>184 Main Street</td>
<td>Jon R and Beverly A. Fuller</td>
<td>Deed Book 9950 Page 218</td>
</tr>
<tr>
<td>Map 35-47</td>
<td>PO Box 667</td>
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<td>4 Natural Drive Map 36-101</td>
<td>Elizabeth Averill Wharff, Trustee The Elizabeth Averill Wharff Trust – 2016 u/d/t dated May 13, 2016 77 Chandler Street, Unit 2 Boston, MA 02116</td>
<td>Book 29658 Page 187 Lot 1 Plan Bk 186 Page 1</td>
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<td>6 Natural Drive Map 36-102</td>
<td>David W. Abbott and Lynne A. Abbott 50 Ginley Road, Walpole, MA 02081</td>
<td>Book 31018 Page 36 Lot 2 Plan Bk 186 Page 1</td>
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<td>10 Natural Drive Map 36-103</td>
<td>Kevin B. Hoey and Robin A. Hoey 53 Pilgrim Road Marblehead, MA 01945</td>
<td>Book 23197 Page 178 Lot 6 Plan Book 186 /1</td>
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<td>16 Natural Drive Map 36-104</td>
<td>David J. Bishop and Vanessa J. Levin 82 Ivy Street, Apt 4 Brookline, MA 02446</td>
<td>Book 25269 Page 22 Lot 7 Plan Book 186/1</td>
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<td>18 Natural Drive Map 36-105</td>
<td>Amanda Haines and Barry N. McManus 10 Larboard Lane Orleans, MA 02653</td>
<td>Book 34943 Page 161 Lot 9 Plan Book 186/1</td>
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<td>17 Natural Drive Map 36-106</td>
<td>Amanda Haines and Barry N. McManus 10 Larboard Lane Orleans, MA 02653</td>
<td>Book 34943 Page 161 Lot 10 Plan Book 186/1</td>
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<td>11 Natural Drive Map 36-107</td>
<td>Andrew C. Stanley and Mary A. Stanley 1040 Beaver Creek Road Shelburne, Vermont 05482</td>
<td>Book 23228 Page 176 Lot 11 Plan Book 186/1</td>
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<td>7 Natural Drive Map 36-108</td>
<td>Paula M. Marella, Trustee The Natural Drive Realty Trust u/d/t dated 10/10/05 recorded in Book 20563 Page 160 660 Union Street, #2C Braintree, MA 02184</td>
<td>Book 20563 Page 167 Lot 12 Plan Book 186/1</td>
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<td>3 Natural Drive Map 36-109</td>
<td>Ann Czerwonka, Trustee Three Natural Drive Nominee Trust u/d/t dated 2/1/19 PO Box 845 Orleans, MA 02653</td>
<td>Book 31816 Page 222 Lot 13 Plan Book 186/1</td>
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<td>54 Barley Neck Road Map 43 – 110</td>
<td>George V. Lascher and Janet A. Lascher, Trustees, Orleans Real Estate Trust u/d/t dated 12/13/02 PO Box 341 East Orleans, MA 02643</td>
<td>Book 17413 Page 135</td>
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<td>4 Windy Hill Lane Map 43-109</td>
<td>Esther P. Lobo 15 Baxter Lane Orleans, MA 02653</td>
<td>Book 23862 Page 241 Lot 2 Plan Book 140/67</td>
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<td>12 Harvey’s Lane Map 43 – 97</td>
<td>Orleans Conservation Trust 203 S. Orleans Road, Orleans, MA 02653</td>
<td>Book 18787 Page 201 Lot 6 Plan Book 140/67</td>
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<td>14 Harvey’s Lane Map 43 – 96</td>
<td>Orleans Conservation Trust 203 S. Orleans Road, Orleans, MA 02653</td>
<td>Book 18787 Page 201</td>
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<td>6 Harvey’s Lane Map 43 – 98</td>
<td>Sarah Bartholomew, Trustee Sarah Bartholomew Trust, dated 9/22/09 and any amendments thereto 6 Harvey’s Lane Orleans, MA 02653</td>
<td>Book 32575 Page 68</td>
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<td>11 Windy Hill Lane Map 43 – 105</td>
<td>Dennis Murphy and Elizabeth Murphy PO Box 1546</td>
<td>Book 18466 Page 346 Lot 9 Plan Book 140/67</td>
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| 5 Windy Hill Lane        | Thomas J. Filomeno  
  Michael J. Filomeno  
  44 Wildwood Glen  
  Longmeadow, MA 01106 | Book 27011 Page 242  
  Lot 10 Plan Book 140/67                                             |
| Map 43 – 104              |                                                                             |                                                                            |
| 3 Windy Hill Lane        | James H. Beall, Jr. and Barbara L Beall,  
  Trustees of the Barbara L Beall 2001 Trust  
  dated July 27, 2001 | Book 30011 Page 210  
  Lot 11 Plan Book 140/67                                             |
<p>| Map 43 – 103              |                                                                             |                                                                            |</p>
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<td>8 Pond View Road Map 43-10</td>
<td>John J. Kelly, Jr. and Patricia W. Kelly, Trustees of The John J. Kelly Family Trust dated September 12, 1983 and Patricia W. Kelly and John J. Kelly, Jr. Trustees of The Patricia W. Kelly Family Trust dated September 12, 1983 PO Box 685 East Orleans, MA 02643</td>
<td>Deed Book 31960 Page 223 Lots 1 and 2 on Plan Book 517 Page 59</td>
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<td>3 High Tide Lane Map 43-9</td>
<td>Michael L. Betlinski and Lisa Allen, as Trustees of the Betlinski Allen Living Trust, dated 6/1/16 PO Box 297 East Orleans MA 02643</td>
<td>Book 29728 Page 18 Lot 8 Plan Book 102/109</td>
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<td>11 Grist Road</td>
<td>David Ohnemus and Virginia Ohnemus 11 Grist Road Orleans, MA 02653</td>
<td>Book 28452 Page 271 Lot 10 Plan Book 141/33</td>
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<td>15 Barley Neck Road</td>
<td>Mary A. Ware and Beverly E. Chappell, Trustees, The Mary A Ware Revocable Living Trust Agreement Dated August 19, 1999, as amended and Mary A. Ware, Trustee, The Paul M Paul M Ware Jr Living Trust Agreement Dated June 3 2009 PO Box 55 East Orleans MA 02643</td>
<td>Book 23822 Page 66 Book 28710 Page 111 Book 29098 Page 307 Lot 8 Plan 141/33</td>
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<td>Map 36-138</td>
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<td>12 Grist Road</td>
<td>James G. Fiala Jr. and Robin M. Hennessy 131 Davis Avenue #2 Brookline, MA 02445</td>
<td>Book 30828 Page 174 Lot 7 Plan Book 141/33</td>
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<td>15 Grist Road</td>
<td>Michael E. Ugliarolo and Susan J. Ugliarolo 6 Moss Run White Plains NY 10605</td>
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<td>223 Main Street, Map 36-151</td>
<td>Minoru John Aoki and Terrie Edwards Aoki 61 Falmouth Road Scarsdale, NY 10583</td>
<td>Book 9825 Page 183  Lot A Plan Book 95 Page 55</td>
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<td>235 Main Street, Map 36-150</td>
<td>Nauset Marine Realty Trust, LLC c/o Todd Walker PO Box 357 Orleans, MA 02653</td>
<td>Book 31759 Page 241  Portion of Lot B on Plan Book 95 Page 55</td>
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<td>39 High Tide Lane, Map 36-149-1</td>
<td>Nauset Marine Realty Trust, LLC c/o Todd Walker PO Box 357 Orleans, MA 02653</td>
<td>Book 31759 Page 241  Lot 17 Plan Book 141/33</td>
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<td>37 High Tide Lane, Map 36-149</td>
<td>Nauset Marine Realty Trust, LLC c/o Todd Walker PO Box 357 Orleans, MA 02653</td>
<td>Book 31759 Page 241  Lot 16 Plan Book 141/33</td>
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<td>32 High Tide Lane, Map 36-144</td>
<td>Walter E. Huskins, Jr. and Suzanne Huskins, Trustees of the Meetinghouse Pond Property Trust u/d/t dated August 24, 2005 PO Box 995 East Orleans, MA 02643</td>
<td>Book 20193 Page 348  Book 33752 Page 203  Lot 6 Plan 141/333</td>
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<td>34 High Tide Lane, Map 36-143</td>
<td>Nauset Marine Realty Trust, LLC c/o Todd Walker PO Box 357 Orleans, MA 02653</td>
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<td>36 High Tide Lane</td>
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<td>3 Barley Neck Road</td>
<td>Nauset Marine Realty Trust, LLC c/o Todd Walker PO Box 357 Orleans, MA 02653</td>
<td>Book 31759 Page 241 Lot 1 Plan 141/33</td>
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<td>20 High Tide Lane</td>
<td>William Siclari and Mary Ann C. Siclari, Co-Trustees The Siclari Revocable Trust u/d/t dated 10/13/2010, as amended PO Box 1498 East Orleans, MA 02643</td>
<td>Book 34818 Page 30 Lot 5 Plan Book 102 Page 129</td>
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<td>Map 36-131</td>
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<td>15 High Tide Lane</td>
<td>Ronald J. Majewicz and Linnea C. Majewicz 4553 Yacht Harbor Drive Naples, FL 34112</td>
<td>Book 21051 Page 167 Lot 1(portion of) and Lot 2 Plan Book 102 Page 129</td>
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<td>Map 43-5</td>
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<td>9 High Tide Lane</td>
<td>Cape Cod Five Cents Savings Bank, Trustee of the Judith K. Brainerd Trust, u/t/a dated October 1, 1992, as amended PO Box 10 Orleans, MA 02653</td>
<td>Book 34426 Page 327 Lot 9 Plan Book 102 Page 129</td>
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<td>25 High Tide Lane</td>
<td>Mark A. Der Hagopian, Trustee of the M and M Lucky Oyster Realty Trust, u/d/t dated April 5, 2021 651 Boylston Street Boston, MA 02116</td>
<td>Book 34076 Page 277 Lot 13 Plan Book 141 Page 33</td>
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<td>Map 36-146</td>
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<td>16 High Tide Lane</td>
<td>Sarah McDonald 6121 Eternal Ocean Place Clarksville, MD 21029</td>
<td>Book 31725 Page 282 Lot 6 Plan Book 102 Page 129</td>
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<td>Map 43-4</td>
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<td>17 High Tide Lane</td>
<td>Justin A. Manafort and Tabitha W. Manafort 33 Lena Avenue Plainville, CT 06062</td>
<td>Book 34531 Page 316 Lot 3A Plan Book 570 Page 61</td>
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<td><strong>12 Cedar Way</strong> Map 36-129&lt;br&gt;Barbara L. Mole and John D. Mole and Barbara Lacey Mole, Trustees of the Mole Realty Trust, u/d/t dated 12/20/21 311 Lowell Avenue Newton, MA 02460</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 8368 Page 63 &lt;br&gt;Book 34785 Page 103 &lt;br&gt;Lot 11 Plan Book 102 Page 129</strong></td>
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<td><strong>5 Cedar Way</strong> Map 36-123&lt;br&gt;John D. Mole and Barbara Lacey Mole, Trustees of the Mole Realty Trust, u/d/t dated 12/20/21 311 Lowell Avenue Newton, MA 02460</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 34785 Page 106 &lt;br&gt;Lot 15 Plan 102/129</strong></td>
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<tr>
<td><strong>6 Cedar Way</strong> Map 36-126&lt;br&gt;Eric D. Schlesinger and Ann Susan Peterson PO Box 725 East Orleans MA 02643</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 8990 Page 313 &lt;br&gt;Lot 14 Plan 102/129</strong></td>
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<td><strong>10 Cedar Way</strong> Map 36-128&lt;br&gt;Megan G. Fates, Trustee Megan G. Fates Trust dated 7/12/2016 PO Box 925 East Orleans MA 02643</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 29820 Page 76 &lt;br&gt;Lot 12 Plan 102/129</strong></td>
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<td><strong>25 Barley Neck Road</strong> Map 36 -125&lt;br&gt;Glenn G. and Judith A. Plimpton 25 Barley Neck Road Orleans, MA 02653</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 24851 Page 211 &lt;br&gt;Lots 20 &amp; 21 Plan 102/129</strong></td>
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<td><strong>14 High Tide Lane</strong> Map 36-130&lt;br&gt;Priscilla C. Isner and Michael S. Isner, Trustees of The Michael S. Isner and Priscilla C. Isner 2015 Living Trust dated December 22, 2015, u/t/a dated 12/22/2015 PO Box 363 East Orleans MA 02643</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 34036 Page 218 &lt;br&gt;Lot 10 Plan 102/129</strong></td>
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<td><strong>8 Cedar Way</strong> Map 36-127&lt;br&gt;Saul Shocket and Alice B Shocket PO Box 5 East Orleans, MA 02643</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 18864 Page 259 &lt;br&gt;Lot 13 Plan 102/129</strong></td>
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<td><strong>29 Barley Neck Road</strong> Map 36 -124&lt;br&gt;Marc L. Angelillo PO Box 95 Orleans, MA 02653</td>
<td><strong>Record Owner</strong></td>
<td><strong>Book 11602 Page 60 &lt;br&gt;Lot 19 Plan 102/129</strong></td>
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<td><strong>10 High Tide Lane</strong> Map 36 -122-1&lt;br&gt;Eric D. Sweet and Carinne Y. Sweet 201 Church Road Devon, PA 19333</td>
<td><strong>Record Owner</strong></td>
<td><strong>Deed Book 26821 Page 249 &lt;br&gt;Lot 16 Plan 102/129</strong></td>
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<td>3 Lake Farm Lane Map 41-123</td>
<td>Kevin R. Booth and Barbara J Booth 15 Beaver Dam Road Upper Saddle River NJ 07458</td>
<td>Book 27335 Page 269 Lot 1 Plan Book 434 Page 38</td>
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<td>7 Lake Farm Lane Map 48-49</td>
<td>Robert W. Normann and Lorraine Normann PO Box 1681 Orleans MA 02653</td>
<td>Book 31309 Page 90 Lot 2 Plan Book 434 Page 38-40</td>
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<td>15 Lake Farm Lane Map 48-51</td>
<td>Robert A. Nover and Aimee A. Nover 5410 Connecticut Ave NW Suite 111 Washington, DC 20015</td>
<td>Book 25684 Page 110 Lot 4 Plan Book 434 Page 38</td>
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<td>19 Lake Farm Lane Map 41-131</td>
<td>Susan N. Fleming and Susan Eitel 19 Lake Farm Lane, Orleans, MA 02653</td>
<td>Book 9139 Page 167 Lot 5 Plan Book 434 Page 38</td>
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<td>18 Lake Farm Lane Map 41-134</td>
<td>Susan J. Trump, Trustee Trump Family Nominee Trust u/d/t dated September 11, 2002 18 Lake Farm Lane, Orleans, MA 02653</td>
<td>Book 15815 Page 76 Lot 12 Plan 652 Page 21</td>
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<td>16 Lake Farm Lane Map 48-48</td>
<td>Beatrice P. Auty PO Box 533 East Orleans, MA 02653</td>
<td>Book 8389 Page 168 Book 13726 Page 160 Lot 7 Plan Book 434 Page 38</td>
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<td>10 Lake Farm Lane Map 48-47</td>
<td>Alan Levick and Nancy Rogoff, Trustees of the Alan Levick Revocable Trust u/t/a dated May 25, 2005 (50%) Alan Levick and Nancy Rogoff, Trustees of the Nancy Rogoff Revocable Trust u/t/a dated May 25, 2005 (50%) 10 Lake Farm Lane Orleans, MA 02653</td>
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<td>James J. Athanas and Carrie Webb Athanas, hw/te</td>
<td>28202 Page 26</td>
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<td>231 Jefferson Avenue</td>
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<td>Northbridge, MA 01534</td>
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<td>Steven J. Allard and Mary Ann M. Allard, Trustees, Allard Living Trust dated</td>
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<td>November 1, 2021, Trustee’s</td>
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| 6 Bayberry Way Map 43-17                    | Cynthia J. Hickey and William V. Hickey, Trustees of Hickey Trust, u/d/t dated 1/16/2020 | Book 32634 Page 332
Lots 16A and 16B Plan Book 373 Page 25     |
| 57 Barley Neck Road Map 43-16              | Martin Sedlacek and Carmen P. Bascunan 57 Barley Neck Road Orleans, MA 02643 | Book 29120 Page 194
Lots 14A and 14B on Plan 373/25            |
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<td>Laura V. Scheel PO Box 417 East Orleans, MA 02643</td>
<td>Book 20291 Page 221 Lot 1 Plan Book 592 Page 91</td>
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<td>6 Cole Place Map 36-16</td>
<td>William Daly and Mona G. Daly, Trustees 6 Cole Place Nominee Trust u/d/t dated December 20, 2017 recorded in Book 30983 Page 58 3 Nelson Way Mansfield, MA 02048</td>
<td>Book 30983 Page 64 Plan Book 137 Page 61</td>
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<td>18 Cole Place Map 36-14</td>
<td>John Haynie, Jr. and Donna M. Haynie 23 Frances Road Harwich, MA 02645</td>
<td>Book 22902 Page 21 Plan Book 133 Page 35</td>
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<td>20 Cole Place Map 36-4</td>
<td>Christopher Gaskill and Mary J. Baldwin 20 Cole Place Orleans, MA 02653</td>
<td>Book 23986 Page 235 Lot 2 on Plan Book 266 Page 42</td>
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<td>19 Cole Place Map 36-13</td>
<td>Gene A. Fulcher and Genevieve Fulcher PO Box 1476 Orleans, MA 02653</td>
<td>Book 4758 Page 196</td>
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<td>15 Cole Place Map 36-15</td>
<td>Gene A. Fulcher and Genevieve Fulcher PO Box 1476 Orleans, MA 02653</td>
<td>Book 26731 Page 129</td>
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<td>8 Beach Road Map 36-23-1</td>
<td>Trustees of the Village East Condominium Trust u/d/t dated 11/21/05</td>
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<td>Trustees of East Main Street Condominium Trust</td>
<td>Book 6108 Page 327 Book 6109 Page 1</td>
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<td>Trisha Daly-Karlson, Trustee</td>
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<td>The Karlson Group LLC PO Box 1601 East Orleans, MA 02643</td>
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<td>4 Cheney Road, Map 35-80</td>
<td>Sankaran Thayumanavan and Sharmila Muratoti 45 Kingman Road Amherst, MA 01002</td>
<td>Book 27749 Page 8 Lot 2 Plan Book 150/107</td>
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<td>8 Cheney Road, Map 35-81</td>
<td>Dennis H. Charbonneau and Bree M. Charbonneau 34 Lovell Street, Mendon, MA 01756</td>
<td>Book 34445 Page 95 Lot 3 Plan 150/107</td>
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<td>James F. Murphy Justine C. Murphy David C. Murphy 40 Stockbridge Road Bridgewater, MA 02324</td>
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<td>14 Cheney Road Map 35-83</td>
<td>Steven H. Koehler and Anne E. Koehler PO Box 611 East Orleans, MA 02643</td>
<td>Book 17728 Page 105 Lots 5 and 6 Plan 150/107</td>
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<td>17 Cheney Road Map 35-75</td>
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<td>Book 27913 Page 42 Lots 12 and 13 Plan 150/107</td>
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<td>20 Cheney Road Map 42-3</td>
<td>Orleans Conservation Trust 203 South Orleans Road Orleans, MA 02653</td>
<td>Book 18787 Page 201 Book 7497 Page 2 Lots 7 and 8 Plan 150/107</td>
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<td>27 Cheney Road Map 42-2</td>
<td>Michael W. Roberge and Tracy Roberge 29 High Rock Road Wayland, MA 01778</td>
<td>Book 20225 Page 36 Lot 9 Plan Book 150/107</td>
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<td>25 Cheney Road Map 42-1</td>
<td>Timothy S. Howell and Andrea B. Howell, as Trustees of The Timothy and Andrea Howell 2020 Living Trust, u/d/t dated June 20, 2020</td>
<td>Book 33033 Page 134 Lot 10 Plan Book 150/107</td>
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<td>21 Cheney Road Map 43-1</td>
<td>Lisa Brannock Nancy Newlove 448 6th Avenue, Apt. 2F NY, NY 10011</td>
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<td>9 Cheney Road Map 35-76</td>
<td>Michael W. Roberge and Tracy Roberge 29 High Rock Road Wayland, MA 01778</td>
<td>Book 28156 Page 178 Lot 14 Plan Book 150/107</td>
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<td>7 Cheney Road Map 35-77</td>
<td>Helen B. Kelsey 320 SE 4th Street Del Ray Beach, FL 33483</td>
<td>Book 32789 Page 307 Lot 15 Plan Book 150/107</td>
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<td>209 Main Street Map 35-78</td>
<td>Diane L. Galazzo and Brian W. McGurk PO Box 505 East Orleans, MA 02643</td>
<td>Book 34885 Page 194</td>
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<td>Mark H. Anderson and Jennifer Budryk</td>
<td>Book 17856 Page 284 Lots B1 and B5 Plan Book 380 Page 71</td>
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<td>31 Loomis Lane</td>
<td>Nicholas A. Athanassiou and Jeanne M. McNett</td>
<td>Book 4468 Page 35 Lot B-2 on Plan Book 380 Page 72</td>
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<td>Kristine M. Kavanagh</td>
<td>Book 4068 Page 63 Lot C-3 Plan Book 378 Page 10</td>
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<td>47 Loomis Lane</td>
<td>Susan MacPherson Lynch and George Edward Lynch 44 Peabody Drive Stow, MA 01775 Carol Ross MacPherson and David Charles Locke 34 Hanson Drive Merriman, MA 01865</td>
<td>Book 33634 Page 105 Book 33634 Page 108 Lot C-1 Plan Book 378 Page 10</td>
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<td>40 Loomis Lane</td>
<td>Marilyn J. Faherty and Frederick C. Faherty, Trustees of the Marilyn J. Faherty Living Trust, u/d/t dated 8/15/2000 2 Huckleberry Lane Acton, MA 01720</td>
<td>Book 30577 Page 325 Lot B-3 Plan Book 380 Page 71</td>
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<td>42 Loomis Lane</td>
<td>Michael R. Shabazian and Elaine M. Shabazian PO Box 1166 East Orleans, MA 02643</td>
<td>Book 28832 Page 111 Lot B-4 Plan Book 380 Page 71</td>
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| 26 Beach Road  
Map 36-28                                | Stephen J. Koepp and Leila H. Koepp  
84 Edgemont Road  
Upper Montclair, NJ 07043 | Book 6919 Page 31  
Lot 1 Plan Book 237 Page 141 |
| 4 Nauset Farms Way  
Map 36-29                                 | Susan P. Cranford, Trustee of the Susan P. Cranford 2010 Revocable Trust u/a/t dated 4/15/2010  
33 Gleason Road  
Princeton, MA 01541 | Book 34724 Page 172  
Lot 2 Plan Book 237 Page 141 |
| 8 Nauset Farms Way  
Map 36-30                                 | William L. Maclachlan and Deborah B. MacLachlan  
PO Box 1516  
East Orleans, MA 02643 | Book 4248 Page 214  
Lot 1 Plan Book 240 Page 119 |
| 12 Nauset Farms Way  
Map 36-31                                 | Kevin Crepeau and Heather Crepeau  
PO Box 239  
East Orleans, MA 02643 | Book 27766 Page 58  
Lot 2 Plan Book 240 Page 119 |
| 20 Nauset Farms Way  
Map 36-32                                 | Thomas W. Finan and Mary R. Finan  
PO Box 1048  
East Orleans, MA 02643 | Book 10515 Page 297  
Lot 3 Plan Book 240 Page 119 |
| 22 Nauset Farms Way  
Map 36-33                                 | Margaret Steiner, Susan Burks and Stewart Ellis  
Trustees of The Ellis Family Irrevocable Trust dated June 17, 2010  
8840 Glen Ferry Drive  
Alpharetta, Georgia 30022 | Book 25239 Page 195  
Lot 4 Plan Book 240/119 |
| 23 Nauset Farms Way  
Map 36-34                                 | Henry V. Spadaccia and Patricia Perry  
PO Box 1106  
East Orleans, MA 02643 | Book 12888 Page 339  
Lot 5 Plan Book 240 Page 119 |
| 21 Nauset Farms Way  
Map 36-35                                 | Lee H Hendrickson  
18 Coolidge Avenue  
Hingham, MA 02043 | Book 24730 Page 146  
Lot 6 Plan Book 240 Page 119 |
| 19 Nauset Farms Way  
Map 36-36                                 | R. Curtis Morley and Joseph S. Morley, Trustees  
Morley Nauset Farms Way Nominee Trust u/d/t dated August 31, 2016  
5 Chandler Drive  
Londonderry, NH 03053 | Book 30020 Page 328  
Lot 7 Plan Book 240 Page 119 |
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<td>47 Monument Road Map 42-61</td>
<td>Mary E. Morgan, Trustee, Mary E. Morgan Living Trust u/d/t dated 5/29/2007 PO Box 1718 Orleans, MA 02653</td>
<td>Book 29534 Page 297 Plan Book 136 Page 17</td>
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<td>8 Gesner Road Map 42-60</td>
<td>Arthur E. Fancy, Jr. and Meredith Fancy PO Box 98 Orleans, MA 02643</td>
<td>Book 21344 Page 312 Book 26435 Page 103 Plan 160/109</td>
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<tr>
<td>6 Gesner Road Map 42-64</td>
<td>Arthur E. Fancy, Jr. and Meredith T. Fancy PO Box 98 Orleans, MA 02643</td>
<td>Book 13163 Page 020 Lot 3 Plan 490 Page 5</td>
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<td>10 Gesner Road Map 42-59</td>
<td>Sigurd A. Winslow and Judith A. Scanlon, Trustees Winslow Scanlon Realty Trust u/d/t 9/3/09 PO Box 647 Orleans, MA 02653</td>
<td>Book 24062 Page 266</td>
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<tr>
<td>14 Gesner Road Map 42-57</td>
<td>Gail L. Schlesinger, Trustee Schlesinger Family Trust u/d/t dated 2/26/21 3 Deerfield Road Medfield, MA 02052</td>
<td>Book 33846 Page 213 Lot 4 Plan Book 479 Page 74</td>
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<td>18 Gesner Road Map 42-55</td>
<td>Matthew S. Varnum Box 2022 Orleans, MA 02653</td>
<td>Book 26935 Page 63 Lot 4 Plan Book 479 Page 74</td>
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<td>20 Gesner Road Map 42-54</td>
<td>Kimberely L. Mead-Walters and F. Davis Walters, Trustees</td>
<td>Book 27914 Page 67</td>
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<td>Sigurd A. Winslow and Judith A. Scanlon, Co-Trustees, Winslow Scanlon Realty Trust u/d/t dated 9/3/2009</td>
<td>Box 647 Orleans, MA 02653 Lot 6B on Plan Book 673 Page 38 Book 30992 Page 118</td>
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<td>Map 42-53</td>
<td>Sondra Scheir</td>
<td>PO Box 697 Orleans, MA 02653 Book 11540 Page 255 Lot A Plan Book 116 Page 119</td>
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<td>49 Monument Road</td>
<td>Joan F. Christopher, Trustee</td>
<td>7 Gesner Road Nominee Trust u/d/t dated 8/11/21 7 Gesner Road Orleans, MA 02653 Lot B Plan Book 116 Page 119 Book 34374 Page 203</td>
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<td>Map 42-78</td>
<td>Frederick D. Walters and Dorothy P. Walters, Trustees Frederick D. Walters and Dorothy P. Walters Joint Revocable Trust, u/d/t dated 9/16/13 PO Box 1482 East Orleans, MA 02643</td>
<td>Lot A Plan Book 86 Page 63 Book 27888 Page 104</td>
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<tr>
<td>7 Gesner Road</td>
<td>Paul R. van Steensel</td>
<td>PO Box 801 South Orleans, MA 02662 Lot 2A Plan Book 513 Page 76 Book 34513 Page 54</td>
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<td>Map 42-86</td>
<td>Sheryl M. Boland</td>
<td>1 Tower Drive Dover, MA 02030 Lot 3A Plan Book 617 Page 90 Book 26621 Page 191</td>
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<td>Map 42-89-1</td>
<td>Janis G. Cunningham, Trustee of The Janis G. Cunningham 2005 Family Trust u/d/t dated March 7, 2005</td>
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<td>33 Gesner Road</td>
<td>Philip D. Kuhlmann and Cheryl A. Schley, Trustees</td>
<td>Kuhlman Family Revocable Trust of 2013 9 Brookford Street Cambridge, MA 02140 Book 33435 Page 130 Lot 4 Plan Book 158 Page 47</td>
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<td>Map 42-91</td>
<td>Mid Century Modern LLC</td>
<td>216 Academy Drive Book 30666 Page 109 Lot 5 Plan Book 158 Page 47</td>
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<td>5 Reverend Treat Road Map 35-112</td>
<td>Mark G. and Ruth A. Prall PO Box 34 East Orleans, MA 02653</td>
<td>Book 11696 Page 49 Plan Book 258 Page 69</td>
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<td>6 Reverend Treat Road Map 35-110</td>
<td>Marjory M. Gill 6 Reverend Treat Road Orleans, MA 02653</td>
<td>Book 3293 Page 20 Lot 1 Plan Book 208 Page 5</td>
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<tr>
<td>14 Minister’s Prim Map 35-111</td>
<td>John J Lordan and Janice E Lordan 301 Whitetail Drive Chagrin Falls, OH 44022</td>
<td>Book 1468 Page 864 Plan Book 236 Page 109</td>
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<td>165 Main Street Map 35-108</td>
<td>Kristin Van Tassel 165 Main Street Orleans, MA 02653</td>
<td>Book 32088 Page 108 Lot 2 Plan Book 208 Page 5</td>
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<td>169 Main Street Map 35-107</td>
<td>Anne B Kiefer PO Box 73 Orleans, MA 02653</td>
<td>Book 11159 Page 248 Pcl B Plan Book 204 Page 21</td>
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<td>12 Baxter Lane Map 43-11</td>
<td>Nancy E. Cronin, Trustee of the Nancy E. Cronin Revocable Trust u/d/t dated June 5, 2017 76 Powder Hill Road, Bedford, NH 03110</td>
<td>Book 33297 Page 39</td>
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<td>15 Baxter Lane Map 43-120</td>
<td>Esther P. Lobo 15 Baxter Lane Orleans, MA 02653</td>
<td>Book 10911 Page 124 Plan Book 421 Page 54</td>
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<td>11 Baxter Lane</td>
<td>Anson W. Clough and Nancy P. Clough (PO Box 1076, East Orleans, MA 02643)</td>
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<td>Lee W. Cable and Carol G. Cable (151 Wildcat Hill Road, Harwinton, CT 06791)</td>
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<td>Donald Hodkoski (54 Brynmoor Court, Goshen, CT 06756)</td>
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<td>Edward Notis-McConarty, Trustee</td>
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<td>Raymond R. Franzino, Kevin W.</td>
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<td>Coombes, Nelson P. Ball, Trustees of</td>
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<td>Andrew Martin Davis</td>
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<td></td>
<td>803 Bent Creek Road, Bahama, NC 27503</td>
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<td></td>
<td>Michael Davis</td>
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<td>15 Norwood Terrace, Holyoke, MA 01040</td>
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<tr>
<td>197-C Main Street</td>
<td>Catherine Alekna</td>
<td></td>
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# MEET WITH OPEN SPACE COMMITTEE

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<th>Select Board</th>
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<tr>
<td>DESIRED ACTION:</td>
<td>Meet with members of the Open Space Committee for authorization to proceed with the purchase of the 6 Cedar Pond Road property</td>
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<td>PROPOSED MOTION:</td>
<td>TBD</td>
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**ACTION TAKEN:**

Moved By: _________________  Seconded By: _________________  
Condition(s):

**VOTED:**

Aye _____  Nay_______  Abstain ________
6 Cedar Pond Purchase Summary

• The Ask: The Open Space Committee requests Select Board approval of the purchase of 6 Cedar Pond Road for $5000.

• Why buy?
  o Purchase is consistent with, and reinforces two decades of Town efforts to improve an impaired Pond.
  o It assists in protecting a rare White Cedar Swamp
  o Builds on eminent domain taking of “0 Cedar Pond” parcels
  o It is supported by the Cedar Pond Management Plan it
  o It closely abuts State, Town and OCT parcels, filling a mosaic
  o Town Meeting approved it in CPC Article 15, parcel 3.

• Property Background for 6 Cedar Pond Road
  o Acreage: .6 acres
  o Last purchased in 2016 for $1600
  o 2022 assessed value: $1600.
  o Formal appraised value: $4400

• Negotiation details on 6/29/22, in text communication:
  o OSC offer: “The Open Space Committee offers you $4,400 for your 6 Cedar Pond Rd parcel". Signed, Robert Cunningham, Chair, Open Space Committee”.
  o Sellers’ response: Hi Robert - Thank you for the offer from The Open Space Committee in the amount of $4,400. We are countering to the offer in the amount of $5,000. [Signed by Sellers]
# MEET WITH ORLEANS CONSERVATION TRUST

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<th>Orleans Conservation Trust</th>
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<td>DESIRED ACTION:</td>
<td>Meet with the Trust for a discussion and possible vote on the Conservation Restriction for 4 Braddocks Way</td>
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<td>PROPOSED MOTION:</td>
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| ACTION TAKEN:         | Moved By: ___________________  Seconded By: ___________________  
|                       | Condition(s):                        |
| VOTED:                | Aye _____  Nay_______  Abstain _______ |
Dear Mr. Kelly,

The Orleans Conservation Trust purchased land at 4 Braddock's Way last year, and we intend to grant a Conservation Restriction to the Compact of Cape Cod Conservation Trusts. As we have done in the past, we will need a vote of support from the Select Board to determine that the CR is in the public interest.

We are on a deadline, so I really hope we can get this item on the July 6 agenda. Mark Robinson of the Compact of Cape Cod Conservation Trusts plans to call into the meeting and can give an overview of the CR and answer any questions. We expect this to be brief and request that, if possible, it be placed toward the beginning of the agenda.

In addition to the CR, I have attached a memo from the Conservation Commission who reviewed and supported an earlier version of the CR, which remains in substantially the same form as the version the Con Comm saw in December.

I look forward to hearing back from you and appreciate your help.

Sincerely,

Steve
Stephen O’Grady
Executive Director, Orleans Conservation Trust
stephen.ogrady@orleansconservationtrust.org
(508)-255-0183
GRANTOR: Orleans Conservation Trust
GRANTEE: The Compact of Cape Cod Conservation Trusts, Inc.
ADDRESS OF PREMISES: 4 Braddock Way, Orleans, MA 02653
FOR GRANTOR’S TITLE SEE: Barnstable County Registry of Deeds Book 34627, Page 161
FOR PLAN OF RECORD SEE: Barnstable County Registry of Deeds Plan Book 674, Page 53

CONSERVATION RESTRICTION

Kevin F. Galligan, Rigney Cunningham, Robert Granger, Mefford Runyon, Steven Gass, Diana Landau, Steven H. Koehler, Peter Van Oot, J. Charles Carlson, James West, Jeannie B. Berdik, Susan R. Meisinger and Judith A. Scanlon as Trustees and acting as such on behalf of the ORLEANS CONSERVATION TRUST, being the sole owner, with an office address of 203 South Orleans Road, Orleans, MA 02653 and a mailing address of P.O. Box 1078, Orleans, MA 02643, and for its successors and assigns holding any interest in the Premises hereafter defined (“Grantor”), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grant with QUITCLAIM COVENANTS to THE COMPACT OF CAPE COD CONSERVATION TRUSTS, INC., a Massachusetts charitable corporation, with an office at 36 Red Top Road, Brewster, Barnstable County, Massachusetts 02631 and a mailing address at P.O. Box 443, Barnstable, Barnstable County, Massachusetts 02630, its permitted successors and assigns (“Grantee”), for nominal consideration, IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following Conservation Restriction on land located in the Town of Orleans, County of Barnstable, Commonwealth of Massachusetts, containing the entirety of an approximately 3.74-acre parcel with building (“Premises”), which Premises is more particularly described in Exhibit A and shown in the attached sketch plan in Exhibit B, both of which are incorporated herein and attached hereto.

I. PURPOSES:

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The purpose of this Conservation Restriction is to ensure that the Premises will be maintained in perpetuity for open space and conservation purposes consistent with Article 97 of the Constitution of the Commonwealth of Massachusetts, in a natural, scenic and open condition, and to prevent any use or change that would impair or interfere with its conservation and preservation values (“conservation values”).
The fee interest in the Premises was acquired utilizing, in part, assistance from the Conservation Partnership program which requires, pursuant to Section 2A of Chapter 286 of the Acts of 2014, the conveyance of this Conservation Restriction.

The conservation values include the following:

- **Open Space Protection.** The Premises possesses significant open space, natural, aesthetic, ecological, plant and wildlife habitat, soil and water resource quality, watershed, floodplain, and wetland features and values of great importance to the Grantee, the people of Orleans, and the Commonwealth of Massachusetts. Specifically, the Premises contributes to the protection of the scenic and natural character of the Meetinghouse Pond and Henson’s Cove area in South Orleans. The Premises will complete a 23-acre horseshoe assemblage of parcels which comprise Orleans Conservation Trust’s (“OCT”) Henson’s Cove Conservation Area (“HCCA”), and add to Town of Orleans protected land (Kent’s Point Conservation Area) on Pleasant Bay, a state-designated, Area of Critical Environmental Concern.

- **Protection of Wildlife Habitat.** A portion of the Premises falls within the Pleasant Bay Area of Critical Environmental Concern. The Massachusetts Natural Heritage and Endangered Species Program (“NHESP”) supported the Town of Orleans efforts to preserve the Premises. Meetinghouse Pond and Henson’s Cove support a growing population of state-listed Threatened Diamondback Terrapins. In partnership with Mass Audubon, OCT manages several terrapin nesting sites at Henson’s Cove, which have been used by an increasing number of nesting terrapins since the program began in 2009. Further, Eastern Box Turtles, a Species of Special Concern, have also been documented using the HCCA, and in 2020, American Black Ducks, whose breeding population in Massachusetts has markedly declined in recent years, were observed nesting on the Premises. Protecting the Premises may therefore benefit all these species and aligns with NHESP’s wildlife and habitat protection objectives. This area is known to be frequented by a number of hawks, and songbirds, including bluebirds. Mammals documented on the HCCA include white-tailed deer, red foxes, eastern coyotes, opossums, skunks, raccoons, otters, and fishers.

- **Public Access.** Public access to the Premises will be available for passive outdoor recreation, education, and nature study, as permitted by the Grantor as set forth in Section IV. It will provide connectivity with abutting OCT-owned open space parcels and will add needed close-to-home open space access for Orleans residents and visitors.

- **BioMap2.** The Premises contains state designated BioMap2 Critical Natural Landscape Habitat, and Diamondback terrapin habitat. The Premises also contains habitat for Eastern box turtle, a Massachusetts Species of Conservation Concern. BioMap2, published in 2010, was designed to guide strategic biodiversity conservation in Massachusetts over the next decade by focusing land protection and stewardship on the areas that are most critical for ensuring the long-term persistence of rare and other native species and their habitats, exemplary natural communities, and a diversity of ecosystems. BioMap2 is also designed to include the habitats and species of conservation concern identified in the State Wildlife
Action Plan (“SWAP”). The Premises contains a portion of a Salt Marsh wetland, a SWAP-recognized medium scale habitat containing up to 32 Species of Greatest Conservation Need (Chapter 4, pp. 243).

- **Water Quality Protection.** Permanent protection of the Premises will ensure that the land will not be disturbed by human development, and will assist in maintaining the water quality of the abutting Henson Cove south of Meetinghouse Pond. This waterbody, as previously stated, empties into Pleasant Bay, a state-designated, Area of Critical Environmental Concern.

- **Indigenous Cultural Landscape.** The Premises is identified by the Massachusetts Historical Commission (MHC #19-BN-534) as an Indigenous cultural landscape with attributes relevant to the intrinsic values of contemporary Indigenous communities within the Commonwealth of Massachusetts.

  - “To … protect, preserve, or restore the ecological integrity of Cape Cod’s fresh and marine surface water resources” (Water Resources Goal, pp. 54);
  - “To protect, preserve, or restore the quality and natural values and functions of inland and coastal wetlands and their buffers” (Wetland Resources Goal, pp. 55);
  - “To protect, preserve, or restore wildlife and plant habitat to maintain the region’s natural diversity” (Wildlife and Plant Habitat Goal, pp. 55).
    - In reference to this Wildlife and Plant Habitat Goal, the RPP states, “For many years habitat loss due to development has been the primary threat to the region’s habitats” (pp. 32);
  - “To conserve, preserve, or enhance a network of open space that contributes to the region’s natural and community resources and systems” (Open Space Goal, pp. 55).
    - In reference to this Open Space Goal, the RPP states, “[t]he open space of the Cape is critical to the health of the region’s natural systems, economy, and population. Open space provides habitat for the region’s diverse species and protection of the region’s drinking water supply” (pp. 30); and,
  - “To protect and preserve the significant cultural, historic, and archaeological values and resources of Cape Cod” (Cultural Heritage Goal, pp. 58).
    - In reference to this Cultural Heritage Goal, the RPP states “preserve and enhance public access and rights to and along the shore” (pp. 63).

Granting this Conservation Restriction will advance each of these objectives. The Water Resources Goal will be served because permanent protection of the Premises will aid in maintaining and improving the water quality of the abutting Henson’s Cove. The Wetland
Resources Goal will be advanced because the Premises contains a portion of a wetland identified by the Massachusetts Department of Environmental Protection and also contains upland buffer area that protects this wetland area. Further, the Premises also serves as buffer within the Meetinghouse Pond/Pleasant Bay watershed. The Wildlife and Plant Habitat Goal will be served because the Premises will be protected from human development in perpetuity thereby permanently protecting the important habitats contained therein, including an NHESP BioMap2 Core Habitat area. The Open Space Goal will be advanced because the Premises will serve as a critical connector among existing Orleans Conservation Trust conservation lands (OCT’s 23-acre Henson Cove Conservation Area) and will provide added access to passive outdoor recreation opportunities for Orleans residents and visitors. And finally, the Cultural Heritage Goal will be served because the property contains important archaeological features as mentioned by the Massachusetts Historical Commission in their January 29, 2022 letter (MHC #RC.69260 on Henson’s Cove Overlook Land Acquisition Project), and documented by the Commission in their 1987 report entitled *Historic & Archaeological Resources of Cape Cod & the Islands* as the Peck Site.

- **Consistency with Clearly Delineated Town of Orleans Conservation Policy.** Protection of the Premises will further the Town of Orleans’ documented goals regarding conservation of land. In the Town of Orleans 2016 *Conservation, Recreation and Open Space Plan* (“CROP”), identified, pursuant to Massachusetts General Laws Chapter 40, Section 15(C). CROP also articulated several relevant goals:
  
  - “Preserve Sensitive Land-Based Resources,” and to “protect and preserve the value of lands for wildlife habitat, watersheds to wetlands, protection of groundwater for public drinking water supply, woodlands and forests, archaeological resources, and other historic resources” (pp. 75); and,
  - “Mitigate Natural Hazards of Storm Flooding and Sea Level Rise,” and to “promote sound land use principles to prevent acute storm and chronic sea level rise from causing undue threats to public safety and natural resources”; and
  - “Manage open space properties to protect natural resources while encouraging appropriate public use.” (pp. 5)

- **Consistency with the Orleans Comprehensive Plan.** Adopted by the May 2001 Town Meeting, certified by the Cape Cod Commission in 2001, and updated and amended by the Town in October 2006, the Orleans Comprehensive Plan lists open space goals to:
  
  - Protect as open space as much land as possible, in order to preserve a healthy natural environment, safeguard ground water quality, provide habitat for wildlife, provide extensive opportunities for recreation and retain the picturesque quality of the Town. (11.2)
  - “Protect the water supply,” preserve and manage natural resources, special places, wildlife habitats and the Town’s semi-rural seaside character. (11.4.4).

- **Consistency with the Commonwealth’s Area of Critical Environmental Concern.** In 1987, the Commonwealth of Massachusetts, through the authority of the Secretary of Environmental Affairs under Mass. General Law c.21A, s.2(7), designated the Pleasant
Bay ecosystem as a state Area of Critical Environmental Concern (ACEC). In 2013, the Pleasant Bay Resource Management Plan was updated and renewed by the Pleasant Bay Resource Management Alliance, consisting of representatives from Orleans, Chatham and Harwich, “to promote the natural resource health and public enjoyment of Pleasant Bay.” The Plan’s goals include: “To sustain and, wherever practicable, regenerate the health and productivity of the Bay’s eco-system, including its water quality, diverse animal and plant life, tidal marshes, ponds, rivers, bays, islands, and beaches;” and “(t)o preserve the features that contribute to the Bay's unique character including its natural beauty, tranquility, history and accessibility.”

- **Consistency with Clearly Delineated Federal Conservation Policy.** Protection of the Premises meets the definition of “conservation purposes” as defined in 26 CFR 1.170A-14(d)(1-4), because its conservation would: expand for the public access to passive outdoor recreation opportunities; protect state-recognized wildlife habitats; add to the Town of Orleans’ open space and conservation land; and it would protect an historically and archaeologically important area.

- **Consistency With Statewide Land Conservation Plan.** The Premises falls almost entirely within the Massachusetts Statewide Land Conservation Plan mapped area.

These and other conservation values of the Premises, as well as its current uses and state of improvement, are described in a Baseline Documentation Report (“Baseline Report”) prepared by Grantee with the cooperation of the Grantor, consisting of maps, photographs, and other documents and on file with the Grantee and referenced herein. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, and (ii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein. Notwithstanding the foregoing, the parties may utilize any evidence of the condition of the Premises at the time of this grant other than the Baseline Report, should the Baseline Report be unavailable or if it does not adequately address the issues presented.

### II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES

#### A. Prohibited Acts and Uses

Subject to the exceptions set forth herein, the Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

1. Constructing, placing or allowing to remain any temporary or permanent building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, sign, fence, billboard, or other advertising display, wind turbine, antenna, utility pole, tower, solar panel, solar array, conduit, line or other temporary or permanent structure or facility on, above or under the Premises;
(2) Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area;

(3) Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings generated off-site, waste or other substance or material whatsoever or the installation of underground storage tanks;

(4) Cutting, removing or otherwise destroying trees, grasses or other vegetation;

(5) Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, wildlife habitat, or archaeological conservation;

(6) Hunting, trapping, or camping is not permitted;

(7) Use, parking or storage of vehicles including motorcycles, mopeds, all-terrain vehicles, trail bikes, or any other motorized vehicles on the Premises except for vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) in carrying out their official duties or as necessary for the mobility impaired;

(8) Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel. The development rights which are encumbered and extinguished by this Conservation Restriction shall not be transferred to any other property pursuant to a transferable development rights plan, cluster development plan, or otherwise;

(9) The use of the Premises for business, residential or industrial use;

(10) Any other use of the Premises or activity which is inconsistent with the purpose of this Conservation Restriction or which would impair its conservation values.

B. **Reserved Rights and Exceptions**

The Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not impair the conservation values or purposes of this Conservation Restriction.

(1) **Vegetation Management.** The selective minimal removing of brush, pruning and cutting to prevent, control or remove hazards, disease, insect or fire damage, or to preserve and enhance the present condition of the Premises, including vistas as documented in the Baseline Report;
(2) **Non-Native or Nuisance Species.** The removal of non-native or invasive species, such as locusts and honeysuckle, and the interplanting of native species, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality. Intensive invasive species removal and warm season grassland restoration is intended as shown on the sketch plan entitled “Orleans Conservation Trust, 4 Braddocks Way, Orleans, MA, date: 2/7/2022, Scale: 1” = 30’, Restoration Plan 1 of 1, Wilkinson Ecological Design, Orleans MA,” on file with the Grantor and Grantee, as approved by the Town of Orleans Conservation Commission, and as excerpted in a sketch attached hereto as Exhibit C.2, and including the use of motorized machinery for restoration activities, provided that the Grantor shall provide written notice to the Grantee prior to initiating said restoration activities;

(3) **Trails.** The maintenance and use of existing trails and, with prior written notice to the Grantee, the relocation or construction of new trails to a width no greater than eight (8) feet, and resting benches as reasonably necessary for the public uses of the Premises as described in Paragraph IV;

(4) **Composting.** The stockpiling and composting of stumps, trees, brush, limbs, and similar biodegradable materials originating on the Premises, provided that such stockpiling and composting is in locations where the presence of such activities will not impair the conservation values (including scenic values) of this Conservation Restriction. No such activities will take place closer than one hundred (100) feet from any wetland, waterbody or stream. All exercise of this reserved right shall take into account sensitive areas and avoid harm to nesting species during nesting season;

(5) **Wildlife Habitat Improvement.** With the prior written approval of the Grantee, measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including seeding with a native seed mix and selective planting of native trees, shrubs and plant species;

(6) **Pest Control.** With the prior written approval of the Grantee, trapping and removal of animals for pest control purposes;

(7) **Archaeological Investigations.** Conducting archaeological activities, including without limitation archaeological research, surveys, excavation and artifact retrieval, but only (a) after written notification to the Grantee, and (b) in accordance with an archaeological field investigation plan prepared by or on behalf of the Grantor and approved in advance of such activity, in writing, by the Massachusetts Historical Commission State Archaeologist (or appropriate successor official) as required by Massachusetts General Laws. A copy of the results of any scientific investigation on the Premises is to be provided to the Grantee.

(8) **Signs.** The erection, maintenance and replacement of signs with respect to trespass, trail access, identity and address of the occupants, sale of the Premises, the Grantee's interest in the Premises, name of the Premises, any gift, grant, or other applicable source of support for the conservation and historic preservation of the Premises, and the protected conservation values;
(9) **Fences.** With the prior written approval of the Grantee, the installation, and thereafter without the prior written approval of the Grantee, the maintenance, of open-faced (i.e., sight-pervious) fences, such as wooden split rail, for property boundary delineation, safety reasons, or trail demarcation, so long as the dimensions and design of said fences do not impede free wildlife passage;

(10) **Resting Benches.** Installation of resting benches for enjoyment by the public, provided such installation causes no more than minimal disturbance on the Premises and does not negatively impact its conservation values;

(11) **Outdoor Passive Recreational Activities.** Non-commercial, passive recreational uses of the Premises by Grantor and its invitees during daylight hours, subject to reasonable regulation by the Grantor. Passive outdoor recreation activities may include walking, bird watching, hiking, wildlife observation, photography, sketching, painting, and other similar activities that do not alter the landscape, do not degrade the environmental quality, and do not involve more than minimal use for commercial recreational activities;

(12) **Boathouse Demolition, Removal, and Restoration.** Demolition and removal of the existing boathouse, shown on Exhibit B as “BOAT HOUSE,” and restoration of the site and other impacted areas pursuant to Paragraph III;

(13) **Site Restoration.** Any work undertaken in conjunction with the Reserved Rights described in this Paragraph II.B shall seek to minimize disturbance to or enhance the conservation values and other natural features within the Premises, including the frontage along Henson’s Cove, which may be impacted as a result of exercising of any of the Reserved Rights described herein. Upon completion of any site work performed in conjunction with the Reserved Rights described in this Paragraph II.B. any disturbed areas shall be restored to a natural state in a manner that protects or enhances the conservation values described in the Baseline Report. Grantee acknowledges that the Grantor intends to clear non-native forest on the Premises to restore warm season grassland in accordance with the restoration plan referenced hereinabove in Paragraph II.B.2 and as shown on Exhibit C.2, which is incorporated herein and attached hereto;

(14) **Permits, Regulations, Laws.** The exercise of any right reserved by Grantor under this Paragraph II.B shall be in compliance with zoning, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued; and,

(15) **Best Management Practices.** The exercise of any right reserved by Grantor under this Paragraph II.B. shall follow, when available and if applicable, established, up to date, and regionally-applicable Best Management Practices or similar standards developed by a governmental agency or other entity with known expertise in the area of practice and designed to protect the natural features potentially affected by the action(s).
C. Notice and Approval.

Whenever notice to or approval by Grantee is required, Grantor shall notify Grantee, by a method requiring proof of receipt, in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within sixty (60) days of receipt of Grantor’s request. Grantee’s approval shall not be unreasonably withheld, but shall only be granted upon a showing that the proposed activity shall not impair the purposes of this Conservation Restriction.

Subject to any applicable law or regulation, failure of Grantee to respond in writing within sixty (60) days shall be deemed to constitute approval by Grantee of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after sixty (60) days in the notice, the requested activity is not prohibited herein, and the activity will not impair the conservation values or purposes of this Conservation Restriction.

III. BOATHOUSE DEMOLITION, REMOVAL, AND RESTORATION

The existing structure shown on Exhibit B as “BOAT HOUSE” may remain in its current location for up to three (3) years after the Effective Date of this Conservation Restriction (see Paragraph XII), but Grantor shall demolish and remove said boathouse within said three-year period and shall restore the demolition site and any other areas impacted as a result of said demolition and removal pursuant to Paragraph II.B.12. Grantee may demolish and remove said boathouse and restore the demolition site and other impacted areas, at Grantor’s sole cost and expense, if Grantor fails to accomplish its commitments under this section within the time limit provided in this Paragraph, and Grantor shall reimburse to Grantee such reasonable costs and expenses.

IV. LEGAL REMEDIES OF THE GRANTEE

A. Legal and Injunctive Relief.

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction. Prior to resorting to legal means to enforce any violations of this Conservation Restriction, the Grantee shall first notify the Grantor and request the Grantor to remedy the violation. The Grantor shall cease the violation immediately upon receipt of notice of the violation.
and make a good faith effort to remedy the violation. If the violation is not remedied within sixty (60) days of receipt of notice but the Grantor has complied with its obligations under the preceding sentence, then the parties shall make a good faith effort to mediate the dispute before the Grantee commences litigation. If the Grantor has failed to comply with its obligations under this paragraph and the violation has not been remedied within sixty (60) days of receipt of notice, the Grantee may commence litigation without engaging in mediation.

Grantee shall not, however, have the right to bring an action against Grantor with respect to a violation of this Conservation Restriction by trespassers or other third persons whose entry on the Premises is not authorized or not voluntarily acquiesced in by Grantor, provided that Grantor will make reasonable efforts to deter such violations and to remedy them should they occur; Grantor agrees that Grantor will not voluntarily acquiesce in any violation of this Conservation Restriction by trespassers or such other third persons; and Grantor further agrees that Grantor will cooperate with Grantee to enforce this Conservation Restriction against trespassers and such other third persons.

Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey and to have the boundaries permanently marked.

B. Non-Waiver

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

C. Disclaimer of Liability

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

D. Acts Beyond the Grantor’s Control

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor’s control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.
V. ACCESS

The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises (i) after reasonable notice and at reasonable times and in a reasonable manner, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction; and, (ii) after sixty (60) days prior written notice, except in an emergency in which case notice shall be given as soon as is practicable, to take any and all actions with respect to the Premises as may be necessary or appropriate, with or without order of court, to remedy, abate or enforce any violation hereof unless the Grantor has prior to the expiration of said sixty (60) days given written notice to the Grantee reasonably addressing all alleged violations and setting forth a reasonable plan to remedy any such alleged violation and has made reasonable efforts to cease the activity or to begin remediation.

The Grantor grants access to the Premises to the general public and agrees to take no action to prohibit or discourage access to and use of the Premises by the general public, but only for daytime use and only as described in Paragraph II.B.11 provided that such agreement by Grantor is subject to the Grantor’s reserved right to establish reasonable rules, regulations, and restrictions on such permitted recreational use by the general public for the protection of the purposes and conservation values of this Conservation Restriction. Grantor has the right to control, limit, or prohibit by posting and other reasonable means activities or uses of the Premises not authorized in Paragraph II.B.11. The Grantor’s right to grant public access across the Premises is subject to the restrictions described in this Conservation Restriction. Any public use which is permitted by the terms of this Conservation Restriction constitutes permission to use the Premises for purposes described in Section 17C of Chapter 21 of the Massachusetts General Laws and the Grantor and Grantee hereto benefit from exculpation from liability to the extent provided in such section. The Grantee may require the Grantor to post the Premises against any use that may result in rutting or erosion or other damage to the natural resources of the Premises.

VI. EXTINGUISHMENT

A. If circumstances arise in the future that render the purpose of this Conservation Restriction impossible to accomplish, this restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Massachusetts Secretary of Energy and Environmental Affairs. If any change in conditions ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, then Grantee, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph V.B, subject, however, to any applicable law which expressly provides for a different disposition of the proceeds and after complying with the terms of any gift, grant, or funding requirements. Grantee shall use its share of the proceeds in a manner consistent with the conservation purpose set forth herein.

B. Proceeds, Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to five percent (5%) of the fair market value of the unrestricted Premises
determined at the time of the conveyance. Such proportionate value of the Grantee’s property right shall remain constant. Any proceeds will be distributed only after complying with the terms of any gift, grant, or other funding requirements.

C. Grantor/Grantee Cooperation Regarding Public Action. Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph V.B, after complying with the terms of any law, gift, grant, or funding requirements. If a less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of the proceeds like a continuing trust in a manner consistent with the conservation purposes of this grant.

VII. DURATION & ASSIGNABILITY

A. Running of the Burden. The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments. The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor, on behalf of itself and its successors and assigns, appoints the Grantee their attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit. The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except when the following conditions are met:

As a condition of any assignment, the Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; that the assignee is not an owner of the fee in the Premises, and the assignee, at the time of the assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VIII. SUBSEQUENT TRANSFERS

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the execution of such transfer. Failure to do any of the above shall not impair the validity or
enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

IX. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within thirty (30) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor’s compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction to a non-fee owner that is qualified under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

XI. AMENDMENT

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31, 32 and 33 of Chapter 184 of the Massachusetts General Laws. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and if applicable, shall comply with the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Barnstable County Registry of Deeds.

XII. EFFECTIVE DATE
This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the Massachusetts General Laws have been obtained, and it has been recorded in a timely manner in the Barnstable County Registry of Deeds.

XIII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Orleans Conservation Trust  
203 South Orleans Rd  
Orleans MA 02653

To Grantee: The Compact of Cape Cod Conservation Trusts, Inc.  
P.O. Box 443  
Barnstable MA 02630

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIV. GENERAL PROVISIONS

A. Controlling Law. The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability. If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

XV. MISCELLANEOUS
A. **Pre-Existing Public Rights.** Approval of this Conservation Restriction pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. **Subordination.** The Grantor attests that there is no mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

C. This Conservation Restriction is subject to all existing easements of record that are in force and as may be applicable to the Premises.

D. Attached hereto and incorporated herein by reference are the following:

**Signature pages:**

Grantor – Orleans Conservation Trust  
Grantee Acceptance – The Compact of Cape Cod Conservation Trusts, Inc.  
Approval of the Town of Orleans Select Board  
Approval of the Secretary of Energy and Environmental Affairs

**Exhibits:**

Exhibit A: Legal Description of Premises  
Exhibit B: Sketch Plan of Premises  
Exhibit C: Draft Restoration Plan
At a meeting duly held on ______________ 2022, the Orleans Conservation Trust voted to grant the foregoing Conservation Restriction to The Compact of Cape Cod Conservation Trusts, Inc., and hereby grants the foregoing Conservation Restriction.

Grantor:

**TRUSTEES OF THE ORLEANS CONSERVATION TRUST**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kevin Galligan</td>
<td>Trustee/President</td>
</tr>
<tr>
<td>Rigney Cunningham</td>
<td>Trustee</td>
</tr>
<tr>
<td>Robert Granger</td>
<td>Trustee</td>
</tr>
<tr>
<td>Mefford Runyon</td>
<td>Trustee</td>
</tr>
<tr>
<td>Steven Gass</td>
<td>Trustee</td>
</tr>
<tr>
<td>Diana Landau</td>
<td>Trustee</td>
</tr>
<tr>
<td>Steven H. Koehler</td>
<td>Trustee/Treasurer</td>
</tr>
<tr>
<td>Peter Van Oot</td>
<td>Trustee</td>
</tr>
<tr>
<td>J. Charles Carlson</td>
<td>Trustee</td>
</tr>
<tr>
<td>Jeanne B. Berdik</td>
<td>Trustee</td>
</tr>
<tr>
<td>James West</td>
<td>Trustee</td>
</tr>
<tr>
<td>Susan R. Meisinger</td>
<td>Trustee</td>
</tr>
<tr>
<td>Judith A. Scanlon</td>
<td>Trustee</td>
</tr>
</tbody>
</table>

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss ______________ 2022

Then personally appeared Kevin Galligan, Trustee and President of the Orleans Conservation Trust, the Trust named in the foregoing instrument, and proved to me through satisfactory evidence of identification, which was personal knowledge of identity, to be the person whose name is signed on the document and acknowledged he is duly authorized to act on behalf of said Trust, and forgoing instrument to be the free act and deed of the Trust, before me.

Mark H. Robinson, Notary Public
My commission expires: 8 July 2027
ACCELERATION OF GRANT

This Conservation Restriction from the Orleans Conservation Trust was accepted by The Compact of Cape Cod Conservation Trusts, Inc. this ________ day of ________, 2022.

By: __________________________
    Leonard W. Johnson
    Its: President, duly authorized

By: __________________________
    Henry Lind
    Its: Treasurer, duly authorized

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss:

On this _____ day of _____________________, 2022, before me, the undersigned notary public, personally appeared Leonard W. Johnson, President, The Compact of Cape Cod Conservation Trusts, Inc., and Henry Lind, Treasurer, The Compact of Cape Cod Conservation Trusts, Inc., and proved to me through satisfactory evidence of identification which was personal knowledge to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the corporation.

____________________________
Notary Public: Mark H. Robinson
My Commission Expires: 8 July 2027
APPROVAL OF SELECT BOARD

We, the undersigned, being a majority of the Select Board of the Town of Orleans, hereby certify that at a public meeting duly held on ________________, 2022, the Select Board voted to approve the foregoing Conservation Restriction from the Orleans Conservation Trust to The Compact of Cape Cod Conservation Trusts, Inc., in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

TOWN OF ORLEANS
SELECT BOARD:

____________________________________
____________________________________
____________________________________
____________________________________

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss:
On this _____ day of ________________ 2022, before me, the undersigned notary public, personally appeared ____________________, ____________________, ____________________, and ____________________, and proved to me through satisfactory evidence of identification which was personal knowledge to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

______________________________
Notary Public
My Commission Expires:
APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
COMMONWEALTH OF MASSACHUSETTS

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from the Orleans Conservation Trust to The Compact of Cape Cod Conservation Trusts, Inc. has been approved in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

Dated: ________________, 2022

Bethany Card
Secretary of Energy and Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss:

On this _____ day of ______________________ , 2022, before me, the undersigned notary public, personally appeared Bethany Card and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

____________________________
Notary Public:
My Commission Expires:
EXHIBIT A

Description of the Premises

The Premises subject to this Conservation Restriction is located in the Town of Orleans, County of Barnstable, Commonwealth of Massachusetts, and comprises all of 3.74 acres of land with buildings, and is shown as Lot 14 on a plan of land noted as project “Isaac H. Braddock and the Sarah B. Fisher Revocable Trust,” with a sheet title of “Definitive Subdivision Plan of Land, being a re-division of Lot 12 Plan Book 656 Page 15 & Lot 6 Plan Book 377 Page 90”, Scale: 1”=50’, dated 10-17-2017, Coastal Engineering, Co., Inc., Orleans MA.”

Said plan recorded at the Barnstable County Registry of Deeds in Plan Book 674, Page 53.

For Grantor’s title, see deed recorded with the Barnstable County Registry of Deeds in Book 34627, Page 161.

Street Address: 4 Braddock Way, Orleans, MA 02653.
EXHIBIT B

Sketch Plan of Premises

For official full size plan see Barnstable County Registry of Deeds Plan Book 674, Page 53, Lot 14.
EXHIBIT C.1
LOCUS SKETCH OF ECO-RESTORATION PLAN for PREMISES (see following page)
EXHIBIT C.2
Excerpted Sketch of Specific Eco-Restoration Plan
MEMORANDUM

To: John Kelly, Town Administrator
From: John Jannell, Conservation Administrator
Date: Monday, January 3, 2022
Re: Conservation Restriction at 4 Braddock’s Way

At its regularly scheduled meeting on Tuesday, December 21st, 2021, the Orleans Conservation Commission voted unanimously (7-0-0) to support the Conservation Restriction at 4 Braddock’s Way, Orleans, to be held by the Compact of Cape Cod Conservation Trusts. We strongly recommend the Select Board vote to approve the Conservation Restriction.

Thank you for your consideration of this matter.

Cc: Orleans Select Board
June 29, 2022

Board of Selectmen
Town of Orleans
19 School Road
Orleans, MA 02653

Re: Conservation Restriction - 4 Braddock’s Way, Orleans, MA 02653

Dear Members of the Board of Selectmen:

I have reviewed the proposed Conservation Restriction (CR) from the Trustees of the Orleans Conservation Trust (OCT) to The Compact of Cape Cod Conservation Trusts, Inc. on a parcel of land containing approximately 3.74 acres located at 4 Braddock’s Way and shown as Lot 14 on a plan recorded with the Barnstable Registry of Deeds in Plan Book 674, Page 53. Pursuant to the provisions of M.G.L. c. 184 §32, if a conservation restriction is held by a charitable trust, it must be approved by the Select Board as well as the Secretary of Environmental Affairs in order for it to be in effect in perpetuity. The purpose of the CR is to assure that the property will be maintained in perpetuity for open space and conservation purposes in a natural, scenic, and open condition. The CR states that the property contains significant open space, natural aesthetic, ecological, plant and wildlife habitat, soil and water resource quality, watershed, floodplain and wetland features. The property, among other things, contributes to the protection of the scenic and natural character of the Meetinghouse Pond and Henson’s Cove areas in South Orleans. The CR provides for public access for passive outdoor recreation purposes. The placement of a CR on this property will ensure that the property remains substantially intact and in its natural state. The Conservation Commission has voted in support of the Conservation Restriction. Accordingly, it would appear that the Select Board could make a determination that the Conservation Restriction is in the public interest.

Very truly yours,

Michael D. Ford, Esq.
Town Counsel

MDF/
cc: John Kelly, Town Administrator
    Town Clerk
### COMMITTEE POLICY - LENGTH OF SERVICE

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Select Board</th>
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<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Discussion and vote to approve the amended policy pertaining to Length of Service of Appointed Committees</td>
</tr>
<tr>
<td>PROPOSED MOTION:</td>
<td>TBD</td>
</tr>
</tbody>
</table>
| ACTION TAKEN:          | Moved By: _________________ Seconded By: __________________
|                        | Condition(s):              |
| VOTED:                 | Aye _____ Nay_______ Abstain _______ |
POLICY STATEMENT

LENGTH OF SERVICE ON APPOINTED TOWN COMMITTEES

It shall be the policy of the Board of Selectmen that no individual shall serve longer than two (2) three (3) full consecutive three-year terms as a full member of any Board-appointed committee at the Board's discretion.

Exceptions may be made by the selectmen under the following circumstances:

1. When extended service can be shown, to the satisfaction of the Selectmen, to be in the best interest of the town.
   a. When the incumbent has specific value added knowledge that cannot be duplicated in an acceptable time frame.
   b. When there is no volunteer stepping forward for the appointment.

2. When an individual has filled an unexpired term for a period not to exceed two years.

DATES REVISED (separate policies): June 28, 1989; October 2, 1991
DATE REVISED/CONSOLIDATED: November 2, 2005
DATE REVISED: June 18, 2008
DATES REVIEWED: August 8, 2012; August 29, 2012
DATE ADOPTED/(single policy): September 19, 2012
DATES REVISED:
   February 3, 2016
   September 6, 2017
   June 15, 2022
## COMMITTEE POLICY SERVICE ASSUMPTIONS AGREEMENT

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Select Board</th>
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<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Discussion and vote to approve a new Select Board policy regarding a Service Assumption Agreement for appointed members</td>
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<td>PROPOSED MOTION:</td>
<td>TBD</td>
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</tbody>
</table>
| ACTION TAKEN:     | Moved By: __________________    Seconded By: __________________
|                   | Condition(s):                   |
| VOTED:            | Aye _____  Nay_______  Abstain ________ |
POLICY STATEMENT

It shall be the policy of the Select Board that the following Agreement be included with the other orientation materials that are completed at the time of swearing in with the Town Clerk’s Office.

Orleans Board/Committee Service Assumptions Agreement

Thank you for being sworn in as a board or committee member. Your volunteer service is a huge contribution to Orleans’ local government. The Town relies on your work and is grateful you have volunteered.

In addition to the Committee/Board resources on the Town website, here are a few operating assumptions to support your service. Please review these assumptions, sign that you understand them and keep a copy for your records.

- Know your board/committee’s charge, its limits, and its impacts.
- When in doubt, refer to the Orleans Charter for guidance.
- If you need to miss a meeting, let your Chair know. Your absence could be the difference in a quorum and a meeting.
- Do the training required to perform the charge. If you need guidance on training opportunities, ask your Chair. The Town will pay your training tuition.
- Expect your board/committee to rotate leadership and reorganize annually. There is an opportunity for you to grow as a contributor. Chair and Vice-Chairs work together with Town staff and plan for leadership change.
- Know MA Open Meeting Law and Conflict of Interest standards. Define your service within their guidelines.
- If you need to connect with Town staff, ask your Chair. Your Chair will then ask the Town Administrator for staff time.
- Your Chair and Select Board liaison are there to support your service. Use them to get your ideas, contributions and questions heard beyond meeting times.

I, ____________________________, have read, understand, and agree to operate with these assumptions during my tenure as an Orleans volunteer on the following Board/Committee: __________________________________________________

Name: _______________________________________ Date:______________

Approved:
CALL TOWN MEETING AND SPECIAL ELECTION

<table>
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<tr>
<th>REQUESTED BY:</th>
<th>Select Board</th>
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<tr>
<td>DESIRED ACTION:</td>
<td>Vote to hold the Special Town Meeting on October 17, 2022 and Special Election on December 6, 2022</td>
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</table>
| PROPOSED MOTION: | 1. Vote to hold the Special Town Meeting on October 17, 2022 at 6:00 pm and open the warrant on August 18, 2022 at 8:30 am and close the warrant on September 2, 2022 at 4:30 pm. 
  
2. Vote to hold the Special Town Election on December 6, 2022 and set the polling hours from 7:00 am to 8:00 pm. |
| ACTION TAKEN: | Moved By: ________________ Seconded By: ________________
Condition(s): |
| VOTED: | Aye _____ Nay_______ Abstain ________ |
SPECIAL TOWN MEETING

BACKGROUND:

The Board needs to vote on the October 17, 2022 Special Town Meeting.

The timetable would be as follows:

- Call Special Town Meeting: July 6, 2022
- Publication of Opening & Closing Dates: July 15, 2022
- Open Warrant: August 18, 2022
- Close Warrant: September 2, 2022
- Warrant Article Recommendations: September 7, 2022
- Warrant to Printer: September 9, 2022
- Publication Date of Warrant: September 22, 2022

TOWN ADMINISTRATOR’S RECOMMENDATION:

Vote to hold the October 17, 2022 Special Town Meeting at 6:00 pm and open the warrant on August 18, 2022 at 8:30 a.m. and close on September 2, 2022 at 4:30 p.m.

FISCAL IMPLICATIONS:

Not fully budgeted.

SELECT BOARD ACTION:

APPROVED: _______   DISAPPROVED: _______
# DRAFT TOWN MEETING ARTICLE INDEX

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Town Administrator</th>
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<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Review the draft Special Town Meeting Article Index with a discussion and vote on fertilizer ban article letter of support</td>
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<td>PROPOSED MOTION:</td>
<td>N/A</td>
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<td>ACTION TAKEN:</td>
<td>Moved By: __________ Seconded By: ______________</td>
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<td>Condition(s):</td>
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<td>VOTED:</td>
<td>Aye _____ Nay_______ Abstain _______</td>
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**Funding Sources**

<table>
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<tr>
<th>Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Property Taxes (R&amp;A)</td>
<td>$ 1,650,000</td>
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<tr>
<td>Debt Exclusions</td>
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<td>Water Fee/Reserve/Debt</td>
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<td>Enterprise Funds</td>
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<td>Stabilization Funds</td>
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<td>Other Sources</td>
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<td>Free Cash</td>
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**Total**

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<th>Description</th>
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<td>Total</td>
<td>1,655,595</td>
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<tr>
<td>Check</td>
<td>1,655,595</td>
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<tr>
<td>Variance</td>
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</tr>
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</table>
Dear Judy Scanlon, Chair Orleans Marine & Fresh Water Quality Committee

The Orleans Select Board voted unanimously to support clean and healthy water, protect our environment, wildlife, residents, visitors, pets, economy and property values by supporting a Home Rule Petition: An Act of Prohibiting the Application of Fertilizer in the Town of Orleans.

This follows Nantucket’s Article 79 that was approved at their Spring 2022 Annual Town Meeting (see below). The Home Rule Petition article will be on article the Orleans Fall 2022 Town Meeting, October 17, 2022.

Our waters are the most important asset Orleans has, we already see how polluted waters have a drastic negative impact on our (or any) community and economy, the waters will we continue to deteriorate unless we make changes now. Fertilizer is the second most significant negative input behind Wastewater in polluting our waters (ground water, ponds, lakes, estuaries, marshes, streams, rivers, oceans) and is the number one most significant input we can effect as individuals today. We can have an immediate impact in improving our waters by but voluntarily changing the products we use, educating our neighbors and also a long term impact by supporting this legislation.

This has been an issue with a long history of support in Orleans and Cape Cod, many people have worked hard to forward this issue with significant research, studies and reports published by various groups both locally and globally. We are at a tipping point where awareness to protect our environment locally and globally has never been higher, it is time to act.

We are asking you for your support, individually and as a committee/organization.

Next step is to get Home Rule Petition Article passed at Fall Town Meeting 10/17/22. Discuss with your committee/organization, provide letter of support (1-2 pages) by 8/26/22, create educational advocacy initiatives, past research reports/sudies, volunteering, public speak, meet with task force to coordinate efforts (contact mherman@town.orleans.ma.us)

Thank You,

Michael Herman
Orleans Select Board Member
Potential committee/organizations:

Marine & Fresh Water Quality Committee- Judy Scanlon/Judith Bruce
Shellfish & Waterways Committee- Bill Amaru
Orleans Pond Coalition
Conservation Commission
Energy & Climate Change
Agricultural Committee
Pleasant Bay Alliance
Putnam Farm
Orleans Farmers Market
Orleans Improvement Association
Orleans Conservation Trust
Pollinator Pathways
Nauset School Committees
Orleans Elementary School
Orleans Citizen Forum
Orleans Chamber of Commerce
Association to Preserve Cape Cod
Cape Cod Commision
DPW/Natural Resources
Planning Committee
Finance Committee
Neighborhood Associations (ie. Mill Pond, Baker’s Pond)
TO WHOM IT MAY CONCERN:

I, Nancy L. Holmes, duly elected Clerk of the Town and County of Nantucket, hereby certify that the May 2, 2022 ANNUAL TOWN MEETING adopted Article 79 at the May 2, 2022 adjourned session when "...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board, was duly motioned, seconded, and voted in accordance with the motions recommended by the Finance Committee or, in the absence of a Finance Committee motion, then in accordance with the motions as recommended by the Planning Board, as printed in the Finance Committee Report, with technical amendments brought forward during the course of the meeting…"

**ARTICLE 79**

(Home Rule Petition: An Act Prohibiting the Application of Fertilizer in the Town of Nantucket)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation, the text of which is set forth below, prohibiting the application of fertilizer in the Town of Nantucket except for farming purposes, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage

An Act Prohibiting the Application of Fertilizer Used in the Town of Nantucket Except for Farming Purposes

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. There is sound scientific evidence to conclude that nitrogen and phosphorus in fertilizers are contaminants that negatively affect fresh and salt waters when present
in excessive amounts. These excessive amounts of nitrogen and phosphorus contribute to undesirable algae and aquatic plant growth within all Nantucket water bodies. This undesirable algae and aquatic plant growth has an adverse effect on public health through the degradation of waters used for drinking water, shell fishing, and recreational swimming and boating.

Section 2. It is necessary to prohibit the application of fertilizer that contains phosphorus and nitrogen so as to improve the water quality of the Town of Nantucket. The soils of Nantucket are unique insofar as Nantucket has significant amounts of coarse, sandy soils that are subject to rapid water infiltration, percolation and leaching of nutrients, and such unique local conditions require that Nantucket prohibit the application of nitrogen and phosphorus added to soils through the application of fertilizers. This Act should help Nantucket to achieve compliance with the Total Maximum Daily Loads (TMDL) prescribed by the Commonwealth of Massachusetts for nitrogen and phosphorus in its waters.

Section 3. Notwithstanding any General or Special law to the contrary, including but not limited to any General or Special law conferring exclusive authority upon the Department of Agriculture to regulate and control the application of fertilizers elsewhere in the Commonwealth, the application of fertilizer containing nitrogen or phosphorus, or any other pollutants in the Town of Nantucket, is hereby prohibited.

Section 4. This act shall take effect upon passage.

Or to take any other action related thereto.

(Joseph Minella, et al)

FINANCE COMMITTEE MOTION: Moved that the Town’s representatives to the General Court are hereby requested to introduce legislation as set forth below; and, that the General Court, with the approval of the Select Board, make constructive changes in the text hereof as may be necessary or advisable to accomplish the intent of the legislation in order to secure its passage, as follows:

AN ACT RELATIVE TO THE REGULATION OF NUTRIENT MANAGEMENT AND FERTILIZER IN THE TOWN NANTUCKET

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding the provisions of sections 9 and 10 of chapter 262 of the Acts of 2012 or any other general or special law, the deadline for the adoption of any rule, regulation, or by-law relative to nutrient management and fertilizer guidelines adopted in the Town of Nantucket under chapter 561 of the acts of 1973, shall be extended for a period of two years after the effective date of this act. Such rule, regulation or bylaw shall not be less restrictive than regulations adopted by the department of agricultural resources under section 1 of chapter 262 and shall be done in conjunction with the University of Massachusetts Amherst Extension to ensure any
regulations relative to plant nutrients are consistent with the program’s published information, educational materials and other public outreach programs relative to nutrient management and fertilizer guidelines.

Section 2. The act shall take effect upon passage.

Bob Decosta Amendment

FINANCE COMMITTEE MOTION: Moved that the Town’s representatives to the General Court are hereby requested to introduce legislation as set forth below; and, that the General Court, with the approval of the Select Board, make constructive changes in the text hereof as may be necessary or advisable to accomplish the intent of the legislation in order to secure its passage, as follows:

AN ACT RELATIVE TO THE REGULATION OF NUTRIENT MANAGEMENT AND FERTILIZER IN THE TOWN NANTUCKET

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding the provisions of sections 9 and 10 of chapter 262 of the Acts of 2012 or any other general or special law, the deadline for the adoption of any rule, regulation, or by-law relative to nutrient management and fertilizer guidelines adopted in the Town of Nantucket under chapter 561 of the acts of 1973, shall be extended for a period of two years after the effective date of this act. Such rule, regulation or bylaw shall not be less restrictive than regulations adopted by the department of agricultural resources under section 1 of chapter 262 and shall be done in conjunction with the University of Massachusetts Amherst Extension to ensure any regulations relative to plant nutrients are consistent with the program’s published information, educational materials and other public outreach programs relative to nutrient management and fertilizer guidelines.

Section 2. The act shall take effect upon passage.

Moved to amend the main motion by substituting the following text from what is printed in the Warrant:

That the Town’s representatives in the General Court are hereby requested to introduce special legislation, the text of which is set forth below, prohibiting the application of fertilizer in the Town of Nantucket except for farming purposes, and to instruct the Nantucket Planning and Economic Development Commission regarding their authority to establish and amend bylaws and regulations relative to fertilizer, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage, as follows:
An Act Prohibiting the Application of Fertilizer Used in the Town of Nantucket Except for Farming Purposes

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. There is sound scientific evidence to conclude that nitrogen and phosphorus in fertilizers are contaminants that negatively affect fresh and salt waters when present in excessive amounts. These excessive amounts of nitrogen and phosphorus contribute to undesirable algae and aquatic plant growth within all Nantucket water bodies. This undesirable algae and aquatic plant growth has an adverse effect on public health through the degradation of waters used for drinking water, shell fishing, and recreational swimming and boating.

Section 2. It is necessary to prohibit the application of fertilizer that contains phosphorus and nitrogen so as to improve the water quality of the Town of Nantucket. The soils of Nantucket are unique insofar as Nantucket has significant amounts of coarse, sandy soils that are subject to rapid water infiltration, percolation and leaching of nutrients, and such unique local conditions require that Nantucket prohibit the application of nitrogen and phosphorus added to soils through the application of fertilizers. This Act should help Nantucket to achieve compliance with the Total Maximum Daily Loads (TMDL) prescribed by the Commonwealth of Massachusetts for nitrogen and phosphorus in its waters.

Section 3. Notwithstanding any General or Special law to the contrary, including but not limited to any General or Special law conferring exclusive authority upon the Department of Agriculture to regulate and control the application of fertilizers elsewhere in the Commonwealth, the application of fertilizer containing nitrogen or phosphorus, or any other pollutants in the Town of Nantucket, is hereby prohibited.

Section 4. This act shall take effect upon passage.

Vote on Decosta amendment on Article 79 yes=337 no=132, motion adopted

VOTE: The vote on the motion pursuant to Article 79, as moved and amended by R. Decosta , Yes: 374, No: 105 The motion was adopted.

Nancy L. Holmes, CMC
Town & County Clerk
# ADULT SUPPORTIVE DAY PROGRAM

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Town Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Vote to sign Intermunicipal Agreements with the Towns of Brewster, Chatham, and Harwich for their participation in the Orleans COA Adult Supportive Day Program for FY23</td>
</tr>
<tr>
<td>PROPOSED MOTION:</td>
<td>Vote to authorize the Chair to sign the MOA’s with Brewster, Chatham and Harwich for participation in the Orleans COA Adult Supportive Day Program for FY23.</td>
</tr>
</tbody>
</table>
| ACTION TAKEN:         | Moved By: ___________________ Seconded By: ___________________  
                        | Condition(s):               |
| VOTED:                | Aye _____ Nay_______ Abstain _______ |
Memorandum of Agreement
Between

Town of Orleans through
Select Board
19 School Road
Orleans, MA 02653

and

Town of Harwich through
Board of Selectmen
732 Main St.
Harwich, MA 02645

This Memorandum of Agreement is entered into this 13th day of June, 2022 by and between the Town of Orleans (hereinafter referred to as "Orleans") and the Town of Harwich (hereinafter referred to as "Harwich.")

WHEREAS, Orleans Council on Aging operates an adult supportive day care program (hereinafter referred to as the "Program"), which provides a safe, welcoming environment for older adults, and

WHEREAS, Orleans Program has capacity to accept residents of Harwich into the Program, but the daily reimbursement rate of $55 per non-resident participant that Orleans receives through a contract with Elder Services of Cape Cod or through private pay fee does not cover the full daily cost of $75 per participant, and

WHEREAS, Harwich desires to provide Program access for their residents and has offered to make a supplemental payment of $20 per day for each Harwich participant to Orleans to cover the full cost of the Program,

NOW THEREFORE, Orleans and Harwich enter into this Agreement.

RESPONSIBILITIES OF ORLEANS
A) Provide adult supportive day care program to Harwich participants that includes lunch and snacks; fitness classes; discussions of current events; art and music therapy; and activities which promote independence and wellness.

B) Provide potential participants with a free trial day to determine eligibility and ongoing assessments to monitor the well-being of all participants.

C) Provide the Harwich Council on Aging with notification when a new Harwich participant has been cleared for attendance in the Program and when an existing Harwich participant is discharged from the Program.

D) Provide the Harwich Council on Aging with a monthly report of resident Program participation.
RESPONSIBILITIES OF HARWICH
A) Coordination of Program communication from Harwich will be through the Council on Aging.

B) Process supplemental payments to the Orleans Council on Aging for Harwich participants on a monthly basis following receipt of the monthly report of Program participation from Orleans.

DURATION
A) This Memorandum of Agreement shall be effective from July 1, 2022 through June 30, 2023.

B) Either Orleans or Harwich may terminate this Agreement by thirty (30) days written notice to the other party, if the other party substantially fails to fulfill its obligations hereunder through no fault of the terminating party.

C) Orleans may terminate this Agreement at any time if Orleans contract with Elder Services of Cape Cod is terminated.

AMENDMENT
This Agreement may be amended as mutually agreed by both parties in writing.

IN WITNESS WHEREOF, ORLEANS and Harwich execute this Agreement the ____ day of ____ in the year two thousand and twenty-two.

FOR TOWN OF ORLEANS

Chair, Select Board

Date

FOR TOWN OF HARWICH

Chair, Board of Selectmen

6/13/2022

Date
Memorandum of Agreement

Between

Town of Orleans through
Select Board
19 School Road
Orleans, MA 02653

and

Town of Brewster through
Select Board
2198 Main St.
Brewster, MA 02631

This Memorandum of Agreement is entered into this ______ day of ______, 2022 by and between the Town of Orleans (hereinafter referred to as “Orleans”) and the Town of Brewster (hereinafter referred to as “Brewster.”)

WHEREAS, Orleans Council on Aging operates an adult supportive day care program (hereinafter referred to as the “Program”), which provides a safe, welcoming environment for older adults, and

WHEREAS, Orleans Program has capacity to accept residents of Brewster into the Program, but the daily reimbursement rate of $55 per non-resident participant that Orleans receives through a contract with Elder Services of Cape Cod or through private pay fee does not cover the full daily cost of $75 per participant, and

WHEREAS, Brewster desires to provide Program access for their residents and has offered to make a supplemental payment of $20 per day for each Brewster participant to Orleans to cover the full cost of the Program,

NOW THEREFORE, Orleans and Brewster enter into this Agreement.

RESPONSIBILITIES OF ORLEANS

A) Provide adult supportive day care program to Brewster participants that includes lunch and snacks; fitness classes; discussions of current events; art and music therapy; and activities which promote independence and wellness.

B) Provide potential participants with a free trial day to determine eligibility and ongoing assessments to monitor the well-being of all participants.

C) Provide the Brewster Council on Aging with notification when a new Brewster participant has been cleared for attendance in the Program and when an existing Brewster participant is discharged from the Program.

D) Provide the Brewster Council on Aging with a monthly report of resident Program participation.
RESPONSIBILITIES OF BREWSTER
A) Coordination of Program communication from Brewster will be through the Council on Aging.

B) Process supplemental payments to the Orleans Council on Aging for Brewster participants on a monthly basis following receipt of the monthly report of Program participation from Orleans.

DURATION
A) This Memorandum of Agreement shall be effective from July 1, 2022 through June 30, 2023.

B) Either Orleans or Brewster may terminate this Agreement by thirty (30) days written notice to the other party, if the other party substantially fails to fulfill its obligations hereunder through no fault of the terminating party.

C) Orleans may terminate this Agreement at any time if Orleans contract with Elder Services of Cape Cod is terminated.

AMENDMENT
This Agreement may be amended as mutually agreed by both parties in writing.

IN WITNESS WHEREOF, Orleans and Brewster execute this Agreement the _____ day of _____ in the year two thousand and twenty-two.

FOR TOWN OF ORLEANS
________________________
Chair, Select Board
________________________
Date

FOR TOWN OF BREWSTER
David Whitney
________________________
Chair, Select Board
06 / 14 / 2022
________________________
Date
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</thead>
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<td>Completed</td>
<td>06 / 14 / 2022 16:51:37 UTC</td>
<td>The document has been completed.</td>
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</tbody>
</table>
Memorandum of Agreement
Between

Town of Orleans through
Select Board
19 School Road
Orleans, MA 02653

and

Town of Chatham through
Select Board
549 Main St.
Chatham, MA 02633

This Memorandum of Agreement is entered into this ______ day of ______, 2022 by and between the
Town of Orleans (hereinafter referred to as “Orleans”) and the Town of Chatham (hereinafter referred to
as “Chatham.”)

WHEREAS, Orleans Council on Aging operates an adult supportive day care program (hereinafter
referred to as the “Program”), which provides a safe, welcoming environment for older adults, and

WHEREAS, Orleans Program has capacity to accept residents of Chatham into the Program, but the
daily reimbursement rate of $55 per non-resident participant that Orleans receives through a contract
with Elder Services of Cape Cod or through private pay fee does not cover the full daily cost of $75 per
participant, and

WHEREAS, Chatham desires to provide Program access for their residents and has offered to make a
supplemental payment of $20 per day for each Chatham participant to Orleans to cover the full cost of
the Program,

NOW THEREFORE, Orleans and Chatham enter into this Agreement.

RESPONSIBILITIES OF ORLEANS
A) Provide adult supportive day care program to Chatham participants that includes lunch and snacks;
fitness classes; discussions of current events; art and music therapy; and activities which promote
independence and wellness.

B) Provide potential participants with a free trial day to determine eligibility and ongoing assessments
to monitor the well-being of all participants.

C) Provide the Chatham Council on Aging with notification when a new Chatham participant has been
cleared for attendance in the Program and when an existing Chatham participant is discharged from
the Program.

D) Provide the Chatham Council on Aging with a monthly report of resident Program participation.
RESPONSIBILITIES OF CHATHAM
A) Coordination of Program communication from Chatham will be through the Council on Aging.

B) Process supplemental payments to the Orleans Council on Aging for Chatham participants on a monthly basis following receipt of the monthly report of Program participation from Orleans.

DURATION
A) This Memorandum of Agreement shall be effective from July 1, 2022 through June 30, 2023.

B) Either Orleans or Chatham may terminate this Agreement by thirty (30) days written notice to the other party, if the other party substantially fails to fulfill its obligations hereunder through no fault of the terminating party.

C) Orleans may terminate this Agreement at any time if Orleans contract with Elder Services of Cape Cod is terminated.

AMENDMENT
This Agreement may be amended as mutually agreed by both parties in writing.

IN WITNESS WHEREOF, ORLEANS and Chatham execute this Agreement the _____ day of _____ in the year two thousand and twenty-two.

FOR TOWN OF ORLEANS

______________________________
Chair, Select Board

______________________________
Date

FOR TOWN OF CHATHAM

______________________________
Chair, Select Board

6/21/22

______________________________
Date
## SAFER COMMUNITY TASK FORCE

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Kevin Galligan</th>
</tr>
</thead>
<tbody>
<tr>
<td>DESIRED ACTION:</td>
<td>Review and possible vote on the draft charge to the Safer Community Task Force</td>
</tr>
<tr>
<td>PROPOSED MOTION:</td>
<td>TBD</td>
</tr>
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</table>
| ACTION TAKEN:       | Moved By: _______________  Seconded By: _______________  
Condition(s): |
| VOTED:              | Aye _____  Nay_______  Abstain _______ |
Proposed Town of Orleans
Safer Community Task Force

Background

Massachusetts has put in place several laws that promote the safe and responsible use of firearms. The Town of Orleans, primarily through the Police Department, has a proactive community based problem-solving approach on gun safety.

While we recognize the leadership here, in the Commonwealth, and the recently enacted Bipartisan Safer Communities Act of 2022 signed into law on June 25, 2022, national measures have failed to stop the loss of life to gun-related violence in the United States. In 2021 there were a total of 692 mass shootings and over 45,000-gun violence-related deaths in the U.S (https://www.gunviolencearchive.org/past-tolls).

Prevention of gun violence is critical to maintain the high quality of life enjoyed by our citizens.

Charge

On _____________, the Select Board directs the creation of the Town of Orleans Safer Community Task Force (“Task Force”). The Task Force shall meet with a frequency it decides necessary to perform its functions under this Charge, meeting at least once per month. The Task Force consists of the following nine (9) members, or their designee appointed by the Select Board: Chief of Police, Chief of Fire-Rescue, Board of Health, Nauset Regional School District; Chamber of Commerce; a Select Board member, and three (3) at-large members.

The Task Force is an advisory body to the Select Board and is charged with researching and compiling data related to gun violence in Orleans and Barnstable County, including how many and what kind of acts of gun violence are seen each year, what kind of guns are used and how are the guns obtained. The Task Force shall investigate circumstances in which gun violence incidents in Orleans have occurred and how and why they happened.

The Task Force is also charged with researching how the public safety and public health systems are currently used and could be improved to address individuals in need of behavioral health services who may be at risk to commit or be a victim of gun violence.

The Task Force shall produce a report with actionable recommendations to keep Orleans a safe community. A preliminary report of the Task Force shall be provided to the Select Board summarizing its progress and initial findings by December 2022. The Task Force shall send a final report to the Select Board in Spring, 2023.
# TOWN ADMINISTRATOR’S REPORT

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Town Administrator</th>
</tr>
</thead>
</table>
| DESIRED ACTION: | Review and vote on the following items  
| | a. Annual Police Department Appointments  
| | b. Annual appointment of Assistant harbormasters and Shellfish Constables  
| | c. Designate Liana Surdut as Temporary Town Administrator for FY23  
| | d. Designate Emergency Personnel under Vehicle Take Home Policy  
| | e. Designate Mihaela Miteva as Parking Clerk  
| | f. Update on Recreation Department Staffing and Organizational Study |
| PROPOSED MOTION: | See memo with recommendations. |
| ACTION TAKEN: | Moved By: _________________ Seconded By: _________________  
| | Condition(s): |
| VOTED: | Aye _____ Nay_______ Abstain _______ |
To: Board of Selectmen  
From: John F. Kelly, Town Administrator  
Re: TOWN ADMINISTRATOR’S REPORT  
Date: July 6, 2022

As part of the meeting agenda for Wednesday evening, the following items will be discussed under my report:

A. Annual Police Department Appointments
   Included in your packet is a memo from Chief MacDonald requesting the appointment of four police officers and three reserve officers for three-year terms; and a second memo requesting the annual appointment of the Licensing Agent and Keeper of Lockup.

   1st Recommendation: Vote to appoint the following officers for a three-year term effective July 1, 2022 until June 30, 2025: Kerry O’Connell, Reserve; James Rosato, Reserve; Christopher Jurkowski, Patrolman/Detective; Alexander Dedinas, Patrolman; Riley McDonough, Patrolman; and John Marsinelli, Patrolman.

   2nd Recommendation: Vote to appointment the following for a one-year term effective July 1, 2022 until June 30, 2023: Sean Diamond as Licensing Agent; and Angela Clark, MaryAlice Machado and Terri Therrien as Dispatcher/Keeper of the Lockup.

B. Assistant Harbormaster/Shellfish Constable Appointments
   Included in your packet is a memo from Nate Sears requesting the annual appointment of Orleans Assistant Harbormasters and Shellfish Constables; along with the cross jurisdictional appointments of employees from Eastham, Chatham and Harwich in accordance with MGL, c. 102, section 19.

   1st Recommendation: Vote to appoint David Slack, Charles Elliott and Jack Avellar as Assistant Harbormaster/Deputy Shellfish Constables for a one-year term effective July 1, 2022 until June 30, 2023.

   2nd Recommendation: Vote to appoint Eastham Natural Resources Department employees Michael O’Connor, Nicole Paine and Scott Richards as Orleans Assistant Harbormasters and Shellfish Constables for a one-year term effective July 1, 2022 until June 30, 2023.

   3rd Recommendation: Vote to appoint Chatham Harbormaster Department employees Stuart Smith, Jason Holm and Michael Ryder as Orleans Assistant Harbormasters and Shellfish Constables for a one-year term effective July 1, 2022 until June 30, 2023.

   4th Recommendation: Vote to appoint Harwich Harbormaster Department employees John Rendon and William Neiser as Orleans Assistant Harbormasters and Shellfish Constables for a one-year term effective July 1, 2022 until June 30, 2023.

C. Designate Acting Town Administrator
   In accordance with Section 4-11-1 of the Charter, for absences of the Town Administrator for up to fourteen calendar days, the Board of Selectmen shall annually designate a Town employee to temporarily assume the duties of the Town Administrator.

   Recommendation: Vote to designate Assistant Town Administrator Liana Surdut to temporarily assume the duties of the Town Administrator as required during FY23.

D. Designate Emergency Personnel under Vehicle Take Home Policy
   Annually, in accordance with the Board’s policy on Personal Use of Town Vehicles, the Board makes a determination that certain employees have responsibilities to respond in emergency situations. This designation then permits these employees to take town vehicles home with them at night to be used for Town purposes only during the ensuing fiscal year.

   Recommendation: Vote to designate the following personnel as having emergency responsibilities during
FY23:
1. Fire Chief
2. Deputy Fire Chief
3. Police Chief
4. Deputy Police Chief
5. Director of Public Works & Natural Resources
6. Public Works Manager
7. Natural Resources Manager
8. Water Superintendent

E. Designate Mihaela Miteva as Parking Clerk under MGL Ch. 90, Section 20A½
The Town has adopted MGL Chapter 90, Section 20A½ which requires that the Select Board designate or appoint a Parking Clerk whose responsibility it will be to supervise and coordinate the processing of parking notices issued. A hearing officer is then designated by the Parking Clerk (if they choose not to do themselves) to conduct informal hearings on any appeals of parking violations issued in Town. In May 2021, the Board designated the Town Administrator as the Parking Clerk/Hearing Officer to startup the new program. As we begin the second season, Mihaela Miteva who assisted me last season has agreed to take over as Parking Clerk/Hearing Officer for FY23.

Recommendation: Vote to designate Mihaela Miteva as Parking Clerk under MGL Ch. 90, Section 20A½.

F. Update on Recreation Department Staffing and Organizational Study
As the Board is aware, after receiving no responses from consultants to complete the proposed study, I contacted the Edward J. Collins, Jr. Center for Public Management, UMass Boston, and reviewed the scope, budget and timeline for the study. The Collins Center indicated they are interested in completing the study and will sending me their proposal by the end of next week.
MEMORANDUM

June 30, 2022

TO: Molly Bates – Administrative Assistant to the Town Administrator

FROM: Scott W. MacDonal d – Chief of Police

SUBJECT: Police Department Appointment List

I am requesting that the Select Board appoint the following as described for the Police Department for the Town of Orleans. Their appointments will be effective from July 1, 2022 until June 30, 2025 and will follow the approved job descriptions.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerry O’Connell</td>
<td>Reserve</td>
</tr>
<tr>
<td>James Rosato</td>
<td>Reserve</td>
</tr>
<tr>
<td>Christopher Jurkowski</td>
<td>Patrolman/Detective</td>
</tr>
<tr>
<td>Alexander Dedinas</td>
<td>Patrolman</td>
</tr>
<tr>
<td>Riley McDonough</td>
<td>Patrolman</td>
</tr>
<tr>
<td>John Marsinelli</td>
<td>Patrolman</td>
</tr>
</tbody>
</table>

Sincerely,

Scott W. MacDonal d
Chief of Police

Swm/ch

99 Eldredge Park Way, Orleans, MA 02653
(508) 255-0117
www.town.orleans.ma.us/orleans-police-department
June 30, 2022

TO: Molly Bates – Administrative Assistant to the Town Administrator
FROM: Scott W. MacDonald – Chief of Police
SUBJECT: Police Department Appointment List

I am requesting that the Select Board appoint the following as described for the Police Department for the Town of Orleans. Their appointments will be effective from July 1, 2022 until June 30, 2023 and will follow the approved job descriptions.

<table>
<thead>
<tr>
<th></th>
<th>Licensing Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sean Diamond</td>
<td></td>
</tr>
<tr>
<td>Angela Clark</td>
<td>Dispatcher/Keeper of Lock up</td>
</tr>
<tr>
<td>MaryAlice Machado</td>
<td>Dispatcher/Keeper of Lock up</td>
</tr>
<tr>
<td>Terri Therrien</td>
<td>Dispatcher/Keeper of Lock up</td>
</tr>
</tbody>
</table>

Sincerely,

Scott W. MacDonald
Chief of Police

Swm/ch

99 Eldredge Park Way, Orleans, MA 02653
(508) 255-0117
www.town.orleans.ma.us/orleans-police-department
MEMORANDUM

DATE: June 29, 2022
TO: John Kelly, Town Administrator
FROM: Nathan Sears, Natural Resources Manager
RE: Appointment Harbormasters/ Shellfish Constables

I respectfully request that the Select Board, at its earliest convenience, vote to do the following:

1. Appoint David Slack as Assistant Harbormaster / Deputy Shellfish Constable with said term to expire on June 30, 2023.

Due to the fact that Orleans waters are immediately contiguous with the waters of Eastham, Chatham, and Harwich, I respectfully request that the Board of Selectmen, at its earliest convenience, vote to do the following:

Appoint the following employees of the Eastham Natural Resources Department as Assistant Harbormasters and Deputy Shellfish Constables for the Town of Orleans in accordance with M.G.L. Ch. 102, section 19 and 20 and Ch. 130, section 98:

2) Nicole Paine with term to expire on June 30, 2023.
3) Scott Richards with term to expire on June 30, 2023.

Appoint the following employees of the Chatham Harbormaster Department as Assistant Harbormasters for the Town of Orleans in accordance with M.G.L. Ch. 102, section 19 and 20:

1) Stuart Smith with term to expire on June 30, 2023.
2) Jason Holm with term to expire on June 30, 2023.
3) Michael Ryder with term to expire on June 30, 2023.

Appoint the following employees of the Harwich Harbormaster Department as Assistant Harbormasters for the Town of Orleans in accordance with M.G.L. Ch. 102, section 19 and 20:

1) John Rendon with term to expire on June 30, 2023.

Please let me know if you have any questions or concerns regarding this matter. Thank you.
# LIAISON REPORTS

<table>
<thead>
<tr>
<th>REQUESTED BY:</th>
<th>Select Board</th>
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</thead>
</table>
| DESIRED ACTION: | a. Further discussion on Select Board Liaison Policy and possible reporting options  
                 b. Update on Eversource substation landscaping, irrigation, and long-term work |
| PROPOSED MOTION: | N/A |
| ACTION TAKEN: | Moved By: _________________  Seconded By: _______________  
                Condition(s): |
| VOTED: | Aye _____  Nay_______  Abstain ________ |
Fantastic news.
Thank you Kevin and Ronit.
Yes, please an update on July 6th is perfect, Kevin, as you have planned it.

---

From: Kevin Galligan <kgalligan@town.orleans.ma.us>
Sent: Wednesday, June 29, 2022 12:29 PM
To: Goldstein, Ronit <ronit.goldstein@eversource.com>
Cc: John Kelly <jkelly@town.orleans.ma.us>; Andrea Shaw Reed <asreed@town.orleans.ma.us>
Subject: Re: Irrigation System update

Thank you Ronit for this update and follow through. Much appreciated!

John and Andrea: Could you please include this email in our next meeting packet under Liaison Reports that I'm happy to report on as well as suggesting a preliminary scope & schedule for kicking-off the Substation Workgroup.

Kevin

---

Kevin Galligan
Select Board Member
Town of Orleans
19 School Rd., Orleans, MA 02653

Email: kgalligan@town.orleans.ma.us
https://www.town.orleans.ma.us/

Kindly note that I use this account for public correspondence and under MA General Laws most email correspondence is deemed a public record.

---

From: Goldstein, Ronit <ronit.goldstein@eversource.com>
Sent: Wednesday, June 29, 2022 10:38 AM
To: Kevin Galligan <kgalligan@town.orleans.ma.us>
Subject: Irrigation System update
Good morning Kevin,

I hope all is well.

I just wanted to let you know that the irrigation system was installed last week and is in service.

I know the summer is underway, I am sure we will be in touch further on this matter closer to the fall.

Either way, feel free to reach out if you need anything or have questions.

Warm regards,

Ronit

Ronit Goldstein
Community Relations & Economic Development

480 Willow Street, Yarmouth, MA 02664 | 📞 617-966-8459 (cell)

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TOPICS FOR FUTURE AGENDAS

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