

# TOWN OF SANDWICH

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET  
SANDWICH, MA 02563

TEL: 508-888-4910 AND 508-888-5144  
FAX: 508-833-8045

E-MAIL: [selectmen@townofsandwich.net](mailto:selectmen@townofsandwich.net)  
E-MAIL: [townhall@townofsandwich.net](mailto:townhall@townofsandwich.net)



BOARD OF  
SELECTMEN

TOWN  
MANAGER

## SANDWICH & BOURNE BOARDS OF SELECTMEN & SANDWICH BOARD OF HEALTH AGENDA

September 24, 2015 – 6:00 P.M.

Sandwich Town Hall – 130 Main Street

1. Convene Meeting
2. Executive Session – M.G.L. c.30A, §21(a)
  - Paragraph #3: Collective Bargaining – Dispatcher & Fire Unions
  - Paragraph #3: Litigation Strategy – Kane v. Town; McGrath v. School; Davison v. Town
  - Paragraph #6: Disposition of Real Property – Town South Sandwich Village Center RFP
  - Paragraph #6: Acquisition of Real Property – Town Neck Beach Easement Properties
3. Pledge of Allegiance
4. Review & Approval of Minutes (*Vote*)
5. Public Forum (*15 Minutes*)
6. Town Manager Report
7. Correspondence / Statements / Announcements / Future Items / Follow-up (*10 Minutes*)
  - Recognition of Sandwich Town Band Leader & Founder Len Savery
8. Staff Meeting (*90 Minutes*)
  - Joint Meeting with Board of Health to Fill Vacancy Per M.G.L. c.41, §11 – Tim Grady (*Vote*)
  - Joint Meeting with Bourne Board of Selectmen – Beach Sticker Reciprocity & Shellfish Licenses; Other
  - 8:00 P.M. Public Hearing – Transfer of Annual All-Alcohol Liquor License from Old Cape Cod Tavern, Inc., d/b/a/ Bee-Hive Tavern, Manager Debra Davies to FPH, LLC, d/b/a Father's Kitchen & Taphouse, Proposed Manager John Downes – 406 Route 6A
  - Cape Light Compact Administrator Maggie Downey & Sandwich Representative Josh Peters – Update on Cape Light Compact Activities
9. Old Business (*15 Minutes*)
  - Update on Town Neck Beach Reconstruction Project with Army Corps of Engineers
  - Potential Special Town Meeting – November 16, 2015 (*Vote*)
  - Other
10. New Business (*5 Minutes*)
  - Other
11. Public Forum (*15 Minutes*)
12. Closing Remarks
13. Adjournment

**NEXT MEETING:** Thursday, October 8, 2015, 7:00 P.M., Town Hall

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 41** OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS**Section 11** Appointment to fill vacancy in town office

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

# Town Of Sandwich

THE OLDEST TOWN ON CAPE COD



## BOARD OF HEALTH

16 Jan Sebastian Drive  
Sandwich, MA 02563  
PHONE: (508) 888-4200  
FAX: (508) 833-0018

E-mail: [health@townofsandwich.net](mailto:health@townofsandwich.net)

September 15, 2015

Mr. Frank Pannorfi, Chairman  
Board of Selectmen  
Town of Sandwich  
130 Main Street  
Sandwich, MA 02563

Dear Chairman Pannorfi and Board Members,

The Sandwich Board of Health has an opening on the Board which has resulted due to the resignation of Doctor Francis Sheehan.

As Chair, I request that a portion of Doctor Sheehan's term, which expires May 5, 2016, be filled by Mr. Timothy Grady of 17 Highfield Drive, Sandwich, MA.

Mr. Grady's educational background is applicable to the Board of Health and it will be beneficial to have a fresh perspective while being involved in the health and environmental issues before the Town. Mr. Grady's resume is attached.

Thank you for your consideration.

Sincerely,

Sandra Lee Tompkins, Chair  
Sandwich Board of Health

Cc: Board of Health  
Town of Sandwich

Timothy Grady  
17 Highfield Drive  
Sandwich, MA 02563  
Email: [tgrady2502@westfield.ma.edu](mailto:tgrady2502@westfield.ma.edu)  
Cell: 508-681-5516

**EDUCATION:**

Bachelor of Environmental Science and Regional Planning (dual major) May 2015  
Westfield State University, Westfield, Massachusetts

**EXPERIENCE:**

Summer 2014

Assistant Sanitarian (Health Inspector)

**Barnstable County Department of Health and Environment**

3195 Main Street Barnstable, MA

Duties Include:

- Worked with health departments of Bourne, Sandwich, Mashpee, Falmouth and Barnstable, MA
- Inspected local food establishments to ensure compliance with health codes
- Inspected public pools to ensure compliance with health codes
- Inspected day/overnight camps to ensure compliance with health codes
- Inspected hotels/motels to ensure compliance with health codes
- Office/organizational tasks for some departments
- Inspected Barnstable County Fair food vendors to ensure compliance with health codes
- Follow up inspections of establishments which were in violation of the health code(s)

Summer 2012 and 2013

Sanitation/Recycling

**Town of Sandwich Department of Public Works**

500 Route 130, Sandwich, MA

Duties Include:

- Operation of cardboard and glass/plastic recycling compactors
- Supervision of metal/electronics and bulk item recycling
- Day to day transfer station facilities operations
- Operation of large dump bed trucks

June 2010 – January 2012

Sales Associate

**Journeys**

769 Iyannough Road, Hyannis, MA

Duties Include:

- Stock management
- Customer sales
- Operation of store POS system
- Supervision of sales floor

**APPLICABLE EXPERIENCE/SKILLS:**

- Member of Barnstable County Community Emergency Response Team (CERT)
- ServSafe certified through 2019
- Choking/CPR certified
- Very familiar with computers and Microsoft Office
- Excellent communications skills
- Valid driver's license

## Dunham, George

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**From:** Guerino, Thomas <TGuerino@townofbourne.com>  
**Sent:** Friday, May 15, 2015 10:23 AM  
**To:** Dunham, George  
**Subject:** Forgot

Good morning:

I forgot to discuss beach stickers with you yesterday. The BOS has requested that I formally speak with you about reciprocity on beach stickers in Sandwich for Bourne residents similar to the current ability of Sandwich residents to obtain resident permits for shellfish ( as agreed to 130 years ago ).

Give me a call at your convenience.

Thanks

tg

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**Lapp, Doug**

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**From:** John Giorgio [JGiorgio@k-plaw.com]  
**Sent:** Wednesday, September 16, 2009 6:12 PM  
**To:** Lapp, Doug  
**Cc:** Dunham, George; Alexis S. Weber  
**Subject:** FW: SAND - Rights in Public Fisheries in Bourne  
**Attachments:** Chapter 127 of the Acts of 1884.pdf

Dear Doug;

I asked Alexis Weber in my office to take a look at your question. Below please find the results of our research this afternoon. If you have any further questions please let me know.

John W. Giorgio, Esq.  
Kopelman and Paige, P.C.  
101 Arch Street  
12th Floor  
Boston, MA 02110  
[jgiorgio@k-plaw.com](mailto:jgiorgio@k-plaw.com)  
Phone: (617) 556-0007  
Fax: (617) 654-1735  
Mobile Phone: (617) 785-0725

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**From:** Alexis S. Weber  
**Sent:** Wednesday, September 16, 2009 5:55 PM  
**To:** John Giorgio  
**Subject:** SAND - Rights in Public Fisheries in Bourne

John:

Chapter 127 of the Acts of 1884, which incorporated the Town of Bourne, provides that "every inhabitant of Sandwich shall have the same rights in the public fisheries of Bourne that an inhabitant of Bourne shall have." (See Section 10, p. 108). Section 11 of the Act (p. 109) further regulates rights in the shell fisheries and provides that "the town of Bourne shall have the management and control of the fisheries in said town subject to the rights of the inhabitants of Sandwich under section ten of this act." The Special Act does not include a reciprocal provision granting any rights to the inhabitants of the Town of Bourne in the Sandwich fisheries.

A copy of the Act is attached to this email.

Alexis

Alexis S. Weber, Esq.  
Kopelman and Paige, P.C.  
101 Arch Street, 12th Floor  
Boston, MA 02110  
(617) 654-1713  
(617) 654-1735 (fax)  
[aweber@k-plaw.com](mailto:aweber@k-plaw.com)

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9/17/2009

AN ACT IN RELATION TO THE VERIFICATION OF THE ACCOUNTS OF  
ASSIGNEES IN INSOLVENCY. *Chap. 126*

*Be it enacted, etc., as follows:*

SECTION 1. The accounts of an assignee in insolvency, required by section one hundred and two of chapter one hundred and fifty-seven of the Public Statutes, shall be verified by the oath of said assignee, and when there are two or more joint assignees their accounts may be allowed upon the oath of one of them.

Assignees in insolvency to swear to their accounts.

SECTION 2. This act shall take effect upon its passage.

*Approved April 1, 1884.*

AN ACT TO INCORPORATE THE TOWN OF BOURNE. *Chap. 127*

*Be it enacted, etc., as follows:*

SECTION 1. All the territory now within the town of Sandwich comprised within the following limits, that is to say:—beginning at "Peaked Hill," so called, situate on the shores of Cape Cod Bay, at the boundary line of the towns of Plymouth and Sandwich, and running southeasterly along the shore of said bay two thousand seven hundred and twenty-eight yards, thence southerly in a straight line to the northwest corner of "Freeman's Lane," so called, and the line of the Old Colony Railroad, thence southerly by the centre of "Freeman's Lane" to the county road, thence southerly in a straight line to the junction of Pocasset road and Turpentine road, so called, thence southerly by the centre of Turpentine road to the dividing line between the towns of Sandwich and Falmouth, thence by that line to Buzzard's Bay, thence by Buzzard's Bay to the dividing line of the towns of Sandwich, Wareham and Plymouth, thence by the line dividing the towns of Sandwich and Plymouth to the point of beginning,—is hereby incorporated into a town by the name of Bourne; and said town of Bourne is hereby invested with all the powers, privileges, rights and immunities, and is subject to all the duties and requisitions, to which other towns are entitled and subjected by the constitution and laws of this Commonwealth.

Town of Bourne incorporated.

SECTION 2. The inhabitants of said town of Bourne shall pay all arrears of taxes which have been legally assessed upon them by the town of Sandwich, and all taxes heretofore assessed upon them and upon property within the limits of Bourne and not collected shall be col-

Inhabitants to pay arrears of taxes assessed by the town of Sandwich.

lected and paid to the treasurer of the said town of Sandwich in the same manner as if this act had not been passed; and until the next general valuation of estates in this Commonwealth, the town of Bourne shall pay annually to the said town of Sandwich the proportion of any state or county tax which the said town of Sandwich may be required to pay upon the inhabitants or estates hereby set off, said proportion to be ascertained and determined by the last valuation next preceding the passage of this act; and the assessors of Sandwich shall make returns of said valuation, and the proportion thereof in the towns of Sandwich and Bourne respectively to the secretary of the Commonwealth and to the county commissioners of the county of Barnstable.

Assessors of Sandwich to make returns of valuation.

Liability for support of paupers.

SECTION 3. Said towns of Sandwich and Bourne shall be respectively liable for the support of all persons who do now or shall hereafter stand in need of relief as paupers, whose settlements were gained, whether by original acquisition or derivation, within their respective limits; and said town of Bourne shall pay annually to said town of Sandwich three-sevenths of all costs paid by the last named town for the support or relief of those persons, who now do, or shall hereafter, stand in need of relief or support as paupers, and who have gained a settlement in said town of Sandwich in consequence of the military services of themselves, or of those through whom they derive their settlement: *provided*, that the person who rendered such military service was not at the time of his enlistment an inhabitant of the said town of Sandwich as heretofore constituted.

Towns.

Suits and proceedings at law or in equity.

SECTION 4. All suits and proceedings at law or in equity, where the cause of action in favor of or against the town of Sandwich arose before the passage of this act, shall be instituted and prosecuted or defended, by said town of Sandwich with the same effect as if this act had not been passed; and the amount recovered in any such suit or proceeding, by or against said town of Sandwich, shall be received or paid, as the case may be, by the town of Sandwich, and divided between the towns of Sandwich and Bourne in the same proportions as the public property and debts of the town of Sandwich are required to be divided by this act.

Division of property and debts.

SECTION 5. The corporate property both real and personal, including rights of action belonging to said town of

Sandwich at the date of the passage of this act, except as hereinafter provided, and the public debt existing at said date, shall be divided between the towns of Sandwich and Bourne according to the valuation of the property within their respective limits, as assessed May first eighteen hundred and eighty-three. Said towns of Sandwich and Bourne shall each retain and hold all the real property, public buildings and personal property used in connection therewith now in their respective limits. In case said towns of Sandwich and Bourne shall not agree in respect to a division of debts, unpaid taxes, state or county taxes, or support of paupers, or in relation to the value of the fisheries or any matter under this section or section eleven, the supreme judicial court for the county of Barnstable shall, upon petition of either town, appoint three commissioners, neither of whom shall be a resident of Barnstable county; and said petition may be filed and appointments made in vacation to hear the parties and determine the matters of difference; and their award, or the award of any two of them, being accepted by said court, shall be final; and said court shall have jurisdiction to render judgment or make any order or decree upon said award, to issue execution, or any other proper process, to enforce such judgment, decree or order. But the award shall not be set aside unless for fraud or manifest error; in which case the court may recommit the award, or appoint other commissioners, with the same powers and duties as the first, of whose proceedings the court shall have the same jurisdiction as herein before provided. In making said award the commissioners shall assign the corporate property belonging to the said town of Sandwich at the time of the passage of this act to the town within which said corporate property shall be situate or belong, so far as such division may be practicable; and said commissioners, may award a gross sum to the town of Bourne or Sandwich as the case may be, in order to make their division of corporate property just and equitable.

SECTION 6. The town of Bourne shall, until otherwise provided by law, continue to be a part of the first congressional district, of the first councillor district, of the Cape senatorial district, and the first representative district of Barnstable county; and the inhabitants of said town of Bourne shall vote for each of said officers in the

If towns fail to agree, matter to be determined by commissioners.

Award of commissioners.

Election district.

town of Bourne. The selectmen and clerk of said town of Bourne, in each of said cases shall make returns as if said town had existed at the time of the formation of said districts.

First meeting  
for election of  
town officers.

SECTION 7. Any justice of the peace within and for Barnstable county, whose residence is in the town of Bourne, may issue his warrant directed to any inhabitant of said town of Bourne requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at the time and place therein appointed, for the purpose of choosing all such officers as towns are by law authorized and required to choose at their annual meetings; and said warrant shall be served by posting copies thereof, attested by the person to whom the said warrant is directed, in three or more public places in said town of Bourne, seven days at least before such time of meeting. Such justice, or in his absence, such inhabitant required to notify the meeting, shall preside until the choice of moderator in said town meeting. The selectmen of said town of Sandwich shall, before said meeting, prepare a list of voters in said town of Bourne qualified to vote at said meeting, and shall deliver the same to the person presiding at said meeting before the choice of moderator thereof.

Bourne to pay  
for surveys and  
establishing  
lines.

SECTION 8. Said town of Bourne shall bear the expense of making the necessary surveys and establishing the lines between the said towns of Sandwich and Bourne.

Reimbursement  
for bounties  
and for state aid  
to soldiers.

SECTION 9. Said town of Bourne shall receive from the said town of Sandwich a proportionate part of whatever amount may hereafter be refunded to said town of Sandwich from the state or United States to reimburse it for bounties to soldiers, or state aid heretofore paid to soldiers' families, after deducting all reasonable expenses.

Regulation of  
public fisheries.

SECTION 10. The towns of Sandwich and Bourne may severally regulate the public fisheries within their respective limits and the provisions of all special acts in relation to the fisheries of Sandwich heretofore passed shall be held to apply to the town in which any such fishery may be located; *provided, however,* that every inhabitant of Sandwich shall have the same rights in the public fisheries of Bourne that an inhabitant of Bourne shall have.

Proviso.

Rights in shell  
fishery or other  
fisheries.

SECTION 11. The town of Bourne shall pay to the town of Sandwich in money the proportionate share of said town of Sandwich in all rights, if any, in the shell

fishery or other fisheries accruing by this act to the town of Bourne, said proportion to be determined by the valuation of the property within the limits of the respective towns on the first day of May in the year eighteen hundred and eighty-three. And the town of Bourne shall have the management and control of the fisheries in said town subject to the rights of the inhabitants of Sandwich under section ten of this act.

SECTION 12. All rights heretofore secured to existing corporations upon the territory hereby incorporated shall continue as though this act had not been passed.

Rights of corporations not impaired.

SECTION 13. This act shall take effect upon its passage.

*Approved April 2, 1884.*

AN ACT TO CONFIRM THE PROCEEDINGS OF THE LAST ANNUAL TOWN MEETING OF THE TOWN OF ROYALSTON.

*Chap. 128*

*Be it enacted, etc., as follows:*

SECTION 1. The proceedings of the annual town meeting of the town of Royalston, held on the first Monday of March in the year eighteen hundred eighty-four, shall not be invalid for the reason that the tellers appointed to aid in checking the names of voters and in assorting and counting the votes, were not sworn, and the election of the town officers at said meeting is ratified and confirmed.

Proceedings of town meeting confirmed.

SECTION 2. This act shall take effect upon its passage.

*Approved April 2, 1884.*

AN ACT TO AUTHORIZE CITIES AND TOWNS TO ISSUE NOTES, BONDS AND SCRIP.

*Chap. 129*

*Be it enacted, etc., as follows:*

SECTION 1. Any city or town which has already incurred or shall hereafter incur a debt under the provisions of chapter twenty-nine of the Public Statutes may issue notes, bonds or scrip therefor properly denominated on the face thereof and signed by its treasurer and countersigned in case of a city by its mayor, and in case of a town, by a majority of its board of selectmen, and within the limitations as to amount and time of payment prescribed in said chapter twenty-nine, with interest payable semi-annually at a rate not exceeding six per cent. per annum; and may sell said notes, bonds or scrip at public or private sale, or use the same in payment of such debts upon such terms and conditions as it may deem proper,

Issue of bonds, notes and scrip by cities and towns.

Bonds, etc. may be sold at public or private sale.

**SANDWICH BOARD OF SELECTMEN  
PUBLIC HEARING**

In accordance with M.G.L. Ch. 138, the Sandwich Board of Selectmen will hold a public hearing on Thursday, September 24, 2015 at 8:00 p.m. in the Sandwich Town Hall, 130 Main Street, Sandwich, MA to consider the transfer of the Annual All Alcoholic License of Old Cape Cod Tavern, Inc. d/b/a Bee-Hive Tavern, Debra Davies, Manager to FPH, LLC, Father's Kitchen and Taphouse, John Downes, Manager., 406 Route 6A, East Sandwich, MA 02537. Description of premises: First floor – two dining rooms, restrooms, lounge and kitchen. Second floor: restroom, storage, two exits, two entrances. Seating capacity 116. Anyone wishing to be heard on the subject will be afforded an opportunity at that time.

Frank Pannorfi, Chairman  
Board of Selectmen

# APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

SANDWICH

## 1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual)

FPH LLC

B. Business Name (if different):

FATHER'S KITCHEN & TAPHOUSE

C. Manager of Record:

JOHN DOWNES

D. ABCC License Number (for existing licenses only):

107400044

E. Address of Licensed Premises:

406 RT.6A

City/Town:

SANDWICH

State:

MA

Zip:

02537

F. Business Phone:

G. Cell Phone:

508-360-4187

H. Email:

jtdownes99@gmail.com

I. Website:

www.gotofathers.com

J. Mailing address (If different from E.):

PO BOX 446

City/Town:

SANDWICH

State:

MA

Zip:

02563

## 2. TRANSACTION:

- New License     New Officer/Director     Transfer of Stock     Issuance of Stock     Pledge of Stock  
 Transfer of License     New Stockholder     Management/Operating Agreement     Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual     (6) Day to (7)-Day License     Wine & Malt to All Alcohol

**IMPORTANT ATTACHMENTS (1):** The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

## 3. TYPE OF LICENSE:

- \$12 Restaurant     \$12 Hotel     \$12 Club     \$12 Veterans Club     \$12 Continuing Care Retirement Community  
 \$12 General On-Premises     \$12 Tavern (No Sundays)     \$15 Package Store

## 4. LICENSE CATEGORY:

- All Alcoholic Beverages     Wine & Malt Beverages Only     Wine or Malt Only  
 Wine & Malt Beverages with Cordials/Liqueurs Permit

## 5. LICENSE CLASS:

- Annual     Seasonal



**Alcoholic Beverages Control Commission  
239 Causeway Street, First Floor  
Boston, MA 02114**

**PETITION FOR TRANSFER OF OWNERSHIP, TRANSFER OF STOCK, NEW OFFICER(S),  
DIRECTOR(S), STOCKHOLDER(S) AND LLC MANAGER(S)**

107400044

ABCC License Number

SANDWICH

City/Town

The licensee A. OLD CAPE COD TAVERN INC and the proposed transferee B. FPH LLC respectfully petition the Licensing Authorities to approve the following transfer of ownership. Any Corporation, LLC or Association, Partnership, Individual, Sole Proprietor Listed in box (A.) must submit a certificate of good standing from the Massachusetts Department of Revenue (DOR).



Is the PRESENT licensee a Corporation/LLC listed in box (A.), duly registered under the laws of the Commonwealth of Massachusetts?

Yes  No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

Name	Title	Address	Stock or % Owned
DEBRA DAVIES	MANAGING DIRECTOR	543 PRINCE HINCKLEY ROAD, CENTERVILLE, MA	51
J. STEPHEN DAVIES	PRESIDENT	543 PRINCE HINCKLEY ROAD, CENTERVILLE, MA	49

Is the PROPOSED transferee a Corporation/LLC listed in box (B.), duly registered under the laws of the Commonwealth of Massachusetts?

Yes  No

**TO:** (Place an \* before the name of each DIRECTOR/LLC Manager.)

Name	Title	Address	Stock or % Owned
*JOHN DOWNES	MANAGER	26 BEN ABBEY RD, SAGAMORE, MA 02561	50
* SEAN DOWNES	MANAGER	236 OLD TOWN RD, HYANNIS, MA 02672	50

The above named proposed transferee hereby joins in this petition for transfer of said license.

**SIGNATURE OF LAST-APPROVED LICENSEE:**

(If a Corporation/LLC, by its authorized representative)

Date Signed 8/25/15

**SIGNATURE OF PROPOSED TRANSFEREE:**

brewer under section 19C and to sell spirits for consumption on the distillery premises to a farmer-distiller authorized to operate a farmer-distillery under section 19E; and provided further, that such licensees may sell for on premises consumption wines, malt beverages and spirits produced by the winery, brewery or distillery or produced for the winery, brewery or distillery and sold under the winery, brewery or distillery brand name.

*[ Seventh paragraph as amended by 2013, 36, Sec. 16 effective July 11, 2013. For text effective until July 11, 2013, see above.]*

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, however, that no such sale shall be made on any secular day between the hours of two and eight o'clock antemeridian and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any such day after eleven o'clock antemeridian and before eleven o'clock postmeridian, and no tavern shall be kept open on any such day between one o'clock antemeridian and eight o'clock antemeridian; provided, further, that any such licensee or his manager shall not be prohibited from being on the licensed premises at any time; provided, further, that the employees, contractors or subcontractors shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making renovations, making emergency repairs to or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. The licensing authority shall not decrease the hours during which sales of such alcohol beverages may be made by a licensee until after a public hearing concerning the public need for such decrease; provided, however, that a licensee affected by any such change shall be given 2 weeks notice of the public hearing.

No license issued under this section shall be subject to any condition or requirement varying the occupancy of the licensed premises as certified by any person or state or local agency charged with the administration or enforcement of the state building code or any of its rules or regulations.

No person, firm, corporation, association or other combination of persons, directly or indirectly, or through any agent, employee, stockholder, officer or other person, or any subsidiary whatsoever, licensed under the provisions of sections eighteen or nineteen shall be granted a license under this section.

In cities and towns which vote to authorize under section eleven the granting of licenses for the sale of all alcoholic beverages, specific licenses may nevertheless be granted under this section for the sale of wines or malt beverages only, or both. The licensing authorities may refuse to grant licenses under this section in certain geographical areas of their respective cities or towns, where the character of the neighborhood may warrant such refusal.

All malt beverages sold by a licensee under this section containing not more than three and two tenths per cent of alcohol by weight shall be expressly sold as such.

No malt beverage shall be sold on draught from a tap, faucet or other draughting device, unless there shall plainly appear on or attached to such device, in legible letters, the brand or trade name of the malt beverage so sold therefrom.



# Cape Light Compact Update:

## *The Next Energy Efficiency Plan and Smart Grid*



**Cape Light  
Compact**

*Working Together Toward A Smarter Energy Future*

# Agenda for Presentation



- 2016-2018 Energy Efficiency Plan – Enhanced offerings and new opportunities
- Grid Modernization

# Cape Light Compact



- 21 towns and 2 counties on Cape Cod and Martha's Vineyard working together to serve customers through delivery of:
  - proven energy efficiency programs
  - effective consumer advocacy
  - competitive electricity supply and green power options
- Model for other community choice aggregation programs in MA and nationally
- DPU approved the updated Aggregation Plan in May 2015



# Background on 3-Year Energy Efficiency Plan



- 2008 Massachusetts Green Communities Act (GCA) mandates *“electric and natural resource needs shall first be met through all available energy efficiency and demand reduction resources that are cost effective or less expensive than supply.”*
- The Compact works collaboratively with seven other statewide Program Administrators (PAs) to provide cost-effective energy efficiency programs. These programs are most commonly known as Mass Save®.
- As a result of the GCA, the seven statewide PAs have very aggressive savings goals that need to be met.
- 2016-2018 is the third 3-year Energy Efficiency Plan filed by the Compact.
- The Compact has held several Community Outreach Forums since May to seek customer input

# Overview of Compact Programs



Residential	Low-Income	Commercial & Industrial
Non Low-Income - (61% or greater of state median income)	Up to 60% state median income	Businesses – including non-profits, churches, etc.
Multi-Family – 5+ units on property	Fuel Assistance recipients	Industrial
	Customers who receive other low-income benefits	Municipal

# Current Compact Residential Programs



## 1. Chimney Balloon

**\$35 rebate** A removable, reusable, and durable device that helps to stop airflow, odor, and debris from flowing through your chimney.

## 2. Heating Systems, Controls, & Water Heaters

**\$100-1200 rebate\*** for oil & propane heating systems.

## 3. Central Air Conditioning

**\$250-500 rebate** for central cooling and minisplit heat pump systems.

## 4. Efficient Thermostats\*

limit 2 per customer (oil & propane)

**\$25 rebate** for 7-day programmable thermostat.

**Up to \$100 rebate** for Wi-Fi thermostat with Wi-Fi Connection enabled.

## 5. Heat Pump Water Heaters

**\$750 rebate** for qualified electric hot water replacements.

\*Natural gas equipment related rebates are available through GasNetworks at [www.gasnetworks.com](http://www.gasnetworks.com).

\*\*Subject to lender approval.

## Cape Light Compact's Home Energy Assessment

Includes **Free** energy efficient light bulbs, **Free** air sealing, and will cover 75% of the cost up to \$4,000 to install recommended insulation for eligible homes. Please call **(800) 797-6699** to schedule your free home energy assessment today!  
Additional benefits for income qualified customers.

## Mass Save® HEAT Loan Program

The HEAT Loan Program provides loans up to \$25,000 with 0% interest and terms up to 7 years for approved measures.\*\* To apply for the loan you must own a one to four-family home and have a home energy assessment. To view eligibility requirements, please visit [www.capelightcompact.org/heat](http://www.capelightcompact.org/heat).

## 6. Solar Domestic Hot Water

**\$500-1500 rebate**

for solar domestic hot water heating systems. Rebate amount depends on number of household members. Pre-approval required and must replace electric hot water heater.

## 7. Appliances

**\$50 rebate** for recycling your second refrigerator or freezer.

**\$50 rebate** for a new ENERGY STAR® Most Efficient qualified refrigerator.

**\$20 rebate** for a new ENERGY STAR® qualified freezer.

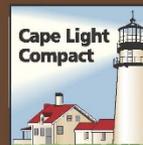
**\$40 rebate** for an ENERGY STAR® Room Air Cleaner.

## 8. Dehumidifier

**\$30 rebate** on ENERGY STAR® certified dehumidifiers.

## 9. Clothes Dryer

**\$50 rebate** for ENERGY STAR® certified electric clothes dryers.



[www.capelightcompact.org/ResRebates](http://www.capelightcompact.org/ResRebates)

## Additional Programs:

- New Construction
- Multi-Family
- Lighting & Products

CONTACT US AT 800-797-6699 OR  
[WWW.CAPELIGHTCOMPACT.ORG](http://WWW.CAPELIGHTCOMPACT.ORG)

# Enhanced Residential Home Energy Services Offerings



*Home Energy Services provides energy audits for existing 1-4 family homes that provides recommendations for insulation (also called weatherization) and air sealing as well as installations for efficient lighting to replace inefficient ones.*

Statewide Offerings	Continue Current CLC Enhancements
75% up to \$2,000 for weatherization	75% up to \$4,000 for weatherization
No enhanced incentives for renters or customers between 61-80% of median income	100% up to \$4,000 for: <ul style="list-style-type: none"><li>- Customers between 61-80% of state median income</li><li>- Year-round tenants (who pay own electric bill)</li></ul>
Gas PAs serve gas heated homes, and electric PAs serve all other fuels	Serve customers with natural gas heated homes who prefer to be served by the Compact, in addition to homes that heat with other fuels (electricity, oil, propane, wood, etc.)



# Enhanced Residential Offerings



Statewide, low-income qualification is done through the gas and electric discount rates and fuel assistance. Cape Light Compact found that some people qualified for these services but were not on the rate; therefore, we offered our own verification to access energy efficiency services.

- Continue Compact-specific income verification for low-income customers

Household Members	60% State Median Income (SMI)
1	\$32,618
2	\$42,654
3	\$52,691
4	\$62,727



# Enhanced Residential Offerings



Cape Light Compact buys down the interest on loans for efficiency improvements in existing residential dwellings that participate in the home energy assessment and have qualifying measures. The loan is 0%, 2-7 years, and between \$500-\$25,000. Banks do the qualification. No work can be done until approval has been completed.

- HEAT Loan – interest bought down by the Compact

Current HEAT Loan Offering	Proposed Compact HEAT Loan Offering
0% interest loan for eligible energy efficiency improvements	Maintain 0% interest or have sliding scale for interest based on income
	Create financing option for customers not eligible due to low credit scores

- Consider offering incentives to reduce usage during peak days in the summer to decrease costs

# Enhanced Residential Multi-Family (5+ units on a property) Offerings



- Currently the Compact weatherizes:

Condo/apartments		<u>Heating Fuel Type</u>	
			Electric (Gas through NGRID)
			Oil/Propane

- Propose to weatherize oil/propane heated facilities
- Enhanced benefits for increased participation at multi-family sites

# Commercial & Industrial Programs



	Small (<100,000 kWh)	Medium (100,000 – 1M kWh)	Large (>1M kWh)
# of Customers	>17,000	>1,100	<90
% of Customers	~94%	~5%	<1%
% of C&I Load	~32%	~38%	~30%



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# Small Business Programs



Using Compact Installer	Current Small Commercial Program	Proposed Small Business Program
<b>Eligible Customers</b>	<300 kW per year	<100,000 kWh per year
<b>Incentive*</b>	Up to 80%	Up to 80%-90%
<b>Assessment</b>	<ul style="list-style-type: none"> <li>• Site specific screening</li> <li>• No instant savings measures</li> <li>• Proposal sent to customer 1-2 weeks following assessment</li> <li>• Installations completed</li> </ul>	<ul style="list-style-type: none"> <li>• Instant savings measures available at time of assessment (i.e. lighting &amp; smart strips)</li> <li>• Proposal given at time of assessment</li> <li>• Installations completed</li> </ul>

*\*Custom & prescriptive incentives available for using your own installer*

# Medium Business Programs



Current Medium Commercial Program	Proposed Medium Business Program
> 300 kW annual demand	100,000 kWh – 1 million kWh annually
Use your own installer	Use Compact installer? Own installer?
Custom applications – up to 50% incentive	Incentive?
Prescriptive applications – 70% average incentive	Roll-out phasing of programs designed for specific industries (lodging, grocery, healthcare, etc.)
	Access to industry experts for segment specific measures



# Large Business Programs



- New and Enhanced Benefits:
  - Dedicated Compact staff liaison
  - Site-specific energy needs better served
  - Develop short/long term efficiency plans
  - Minimum 50% incentive for eligible measures



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# Enhanced C&I Programs



- Municipalities – 7% of total C&I customers
  - Incentives (up to 100%) for equipment maintenance training to ensure savings
- Non-profits
  - Governing Board is discussing offering enhanced incentives to non-profits meeting certain criteria

# Calendar of Events



Date (all 2015)	Action
April 30	Compact & all PAs submitted draft 2016-2018 Statewide EE Plan
May – September	Meetings/outreach to community on Compact specific proposed offerings
September 18	Second draft of Plan due
September-November	Presentations to Boards of Selectmen/Town Council/County Commissioners
October 31 (on or before)	Compact & all PAs file final 2016-2018 Statewide EE Plan with Department of Public Utilities

## We Want Your Feedback:

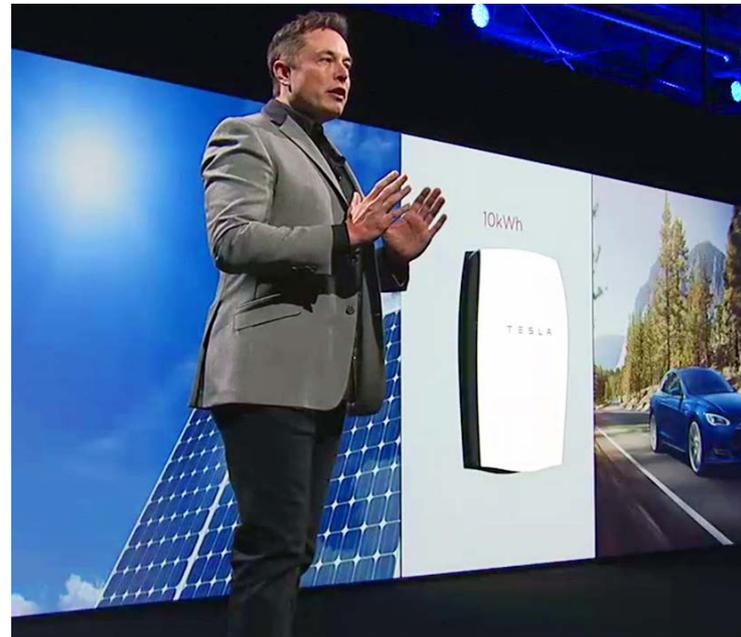
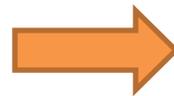
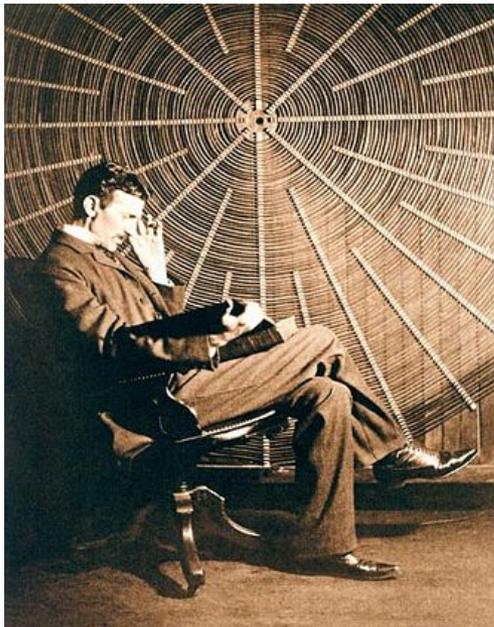
- Cape Light Compact's online survey – [www.capelightcompact.org/eeplan](http://www.capelightcompact.org/eeplan)

# Grid Modernization



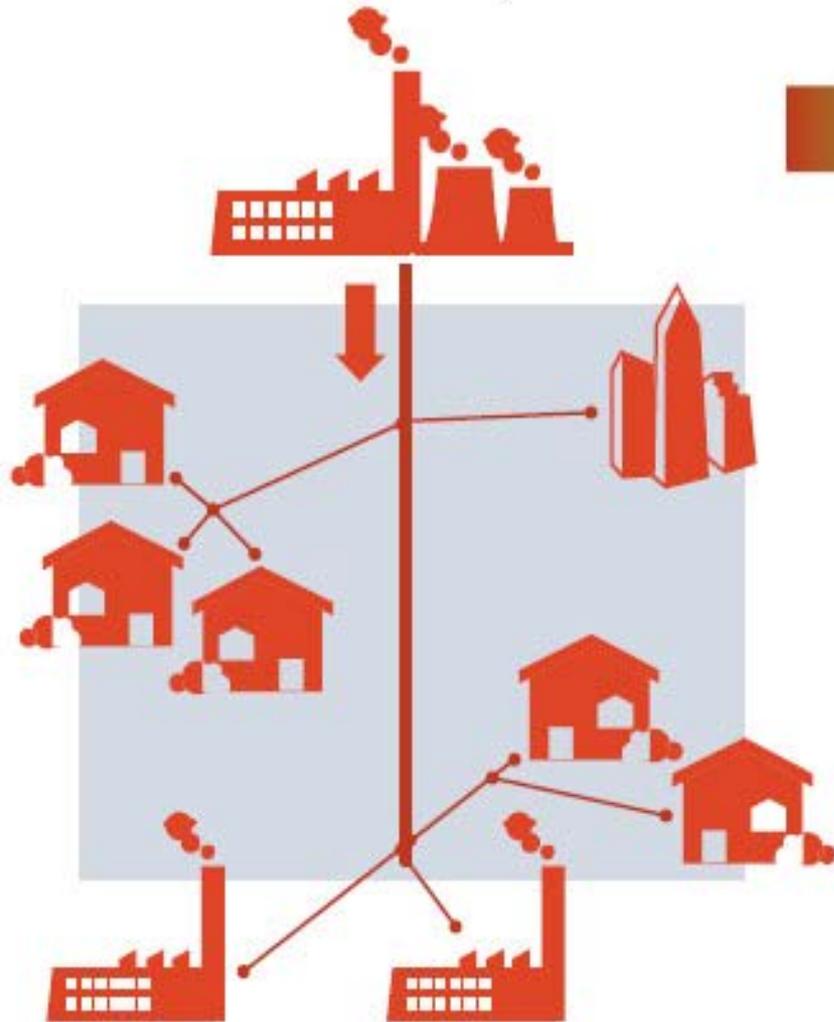
What are we talking about?

- The “smart grid” or grid modernization = use of increased remote data collection and automation to increase efficiency of grid, allow for two-way power flows (not just generator-> user), and increase reliability



# Grid Modernization

Today's Electricity



Tomorrow's Choices

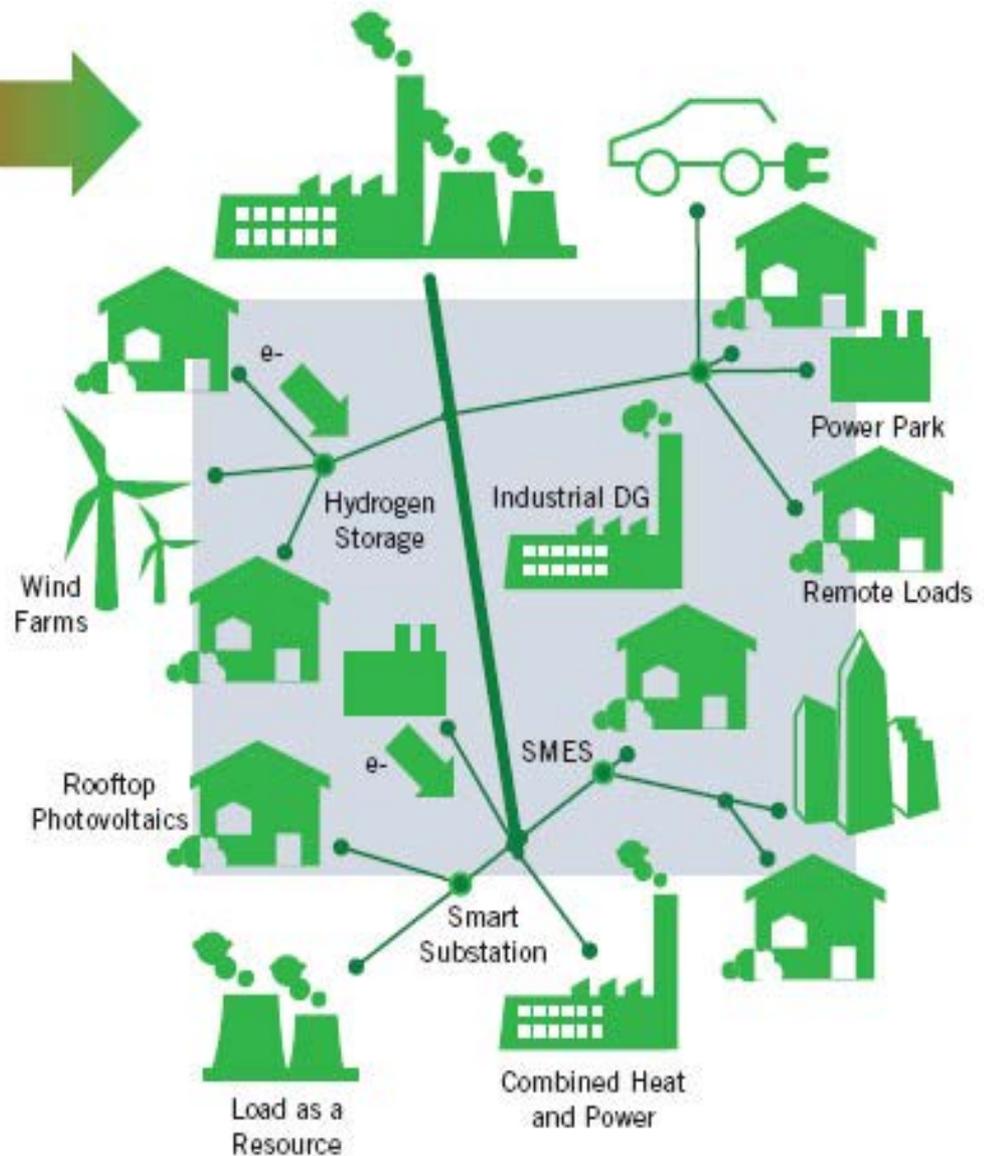


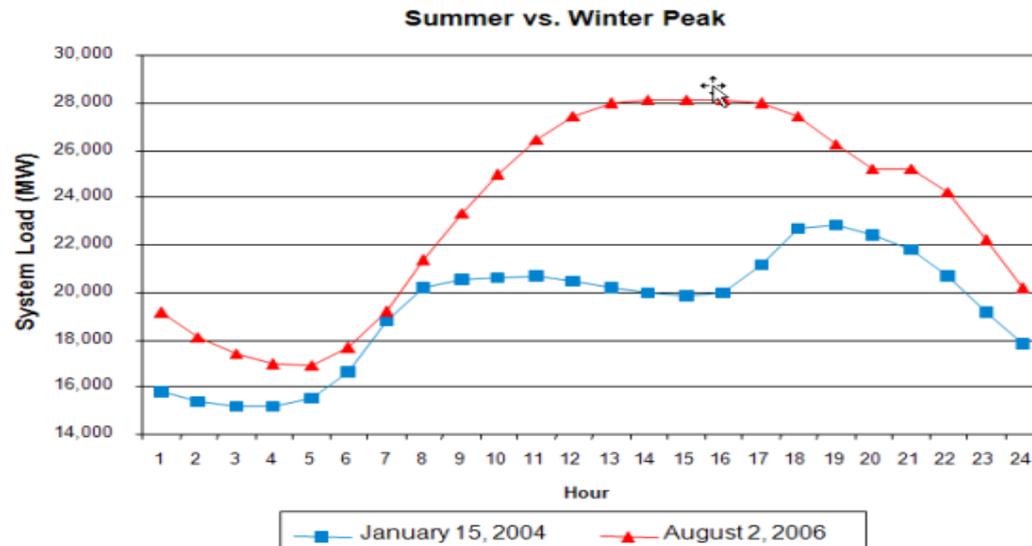
Fig. 1. The IEEE's version of the Smart Grid involves distributed generation, information networks, and system coordination, a drastic change from the existing utility configurations.

# DPU – Grid Mod Objectives



1. Reduce the effect of outages
2. Optimize demand, which includes reducing system and customer costs
3. Integrate distributed energy resources
4. Improve mobile workforce and asset management

New England  
all-time peak  
demands –  
average 2014  
load ~ 14,500  
MW



# Utility Approaches

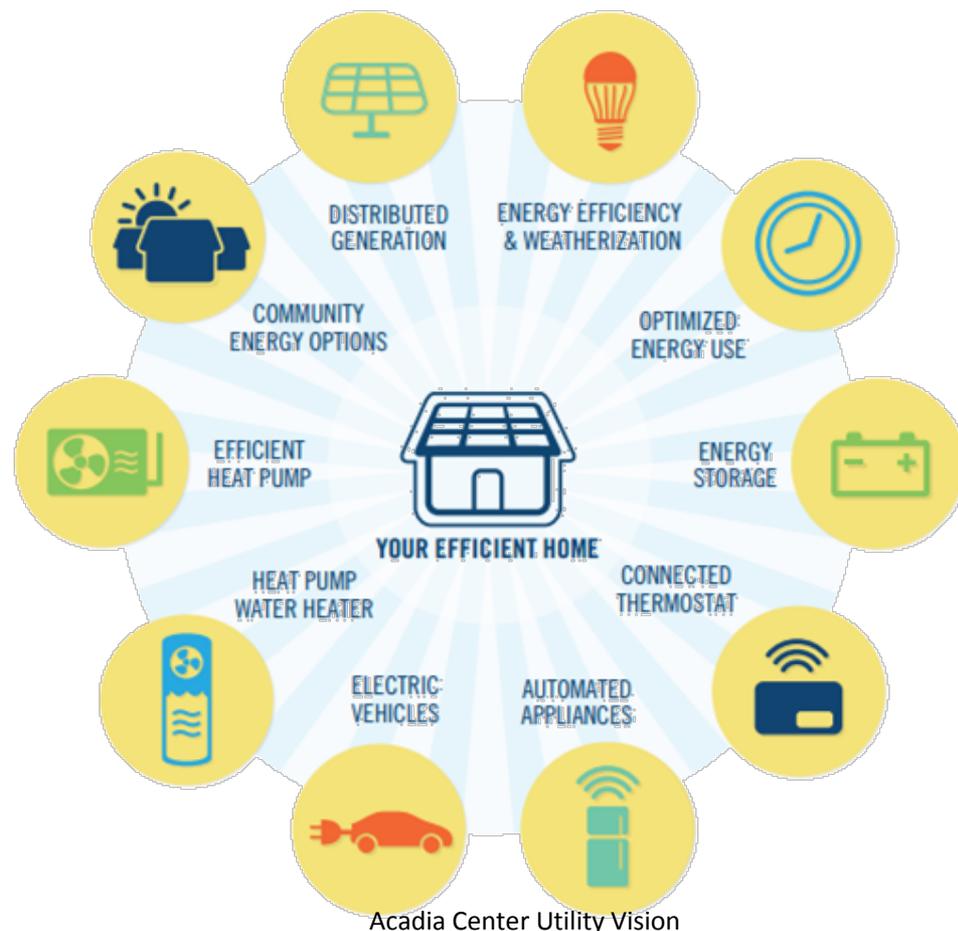


- Eversource
  - Focus on grid-facing technologies
  - Strong emphasis on reliability
  - Not convinced residential/small business customers will benefit from TOU/advanced metering
  - Point out that – 2% of their customers = 80% of C&I usage, and 80% of their customers = 6% of C&I usage
- National Grid
  - Calls their plan “utility of the future”
  - Want to be “platform provider” – like iPhone analogy
  - More of an all of the above approach
  - AMI for ~ 15,000 in Worcester
  - Exploring batteries as well

# What Could This Mean for the Cape?



- Power supply – TOU?
- Greater focus on kW vs. kWh
- Geo-targeting
- Integration of renewables
- Energy storage (batteries)
- EVs?
- **Crucial question – metering/data availability?**



# Next Steps for the Compact



- Communicate Compact's position on Grid Mod to Eversource
- Participate in Eversource's Grid Mod Plan at the DPU – which was filed in August 2015
- Explore ways the Compact can integrate Grid Mod components into its energy efficiency programs
- Collaborate with other Cape and Vineyard Stakeholders on Grid Modernization

**LIST OF POTENTIAL STM ARTICLES – NOVEMBER 16, 2015**

1. Ch. 70 School Department Appropriation for FY'16 Budget
2. Ambulance Fund Transfer: Ambulance Replacement
3. Sandwich Hollows Enterprise Fund Transfer – Capital Improvements
4. Accept Access Easement off Atkins Road
5. Zoning By-laws: Ground Mounted Solar Overlay District in BL-1 Zone
6. Zoning By-laws: Expand Ground Mounted Solar District to BL-2 Zone (???)
7. Zoning By-laws: Height in South Sandwich Village Center (???)
8. Zoning By-laws: Section 2550(c) – Merged Lots (???)
9. Town Bylaw: Section 3.45 – Alarms (???)