

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

E-MAIL: townhall@townofsandwich.net



BOARD OF
SELECTMEN

TOWN
MANAGER

BOARD OF SELECTMEN AGENDA January 21, 2016 – 5:30 P.M. Sandwich Town Hall – 130 Main Street

1. 5:30 P.M. Executive Session – M.G.L. c.30A, §21(a)
Purpose #6: Disposition of Real Property – Town SSVC Land RFP – Compliance with Purchase & Sales Agreement Requirements
2. Pledge of Allegiance
3. Review & Approval of Minutes
4. Public Forum (*15 Minutes*)
5. Town Manager Report
6. Correspondence / Statements / Announcements / Future Items / Follow-up (*10 Minutes*)
7. Staff Meeting (*20 Minutes*)
7:30 P.M. Public Liquor License Hearing: New All Alcohol Common Victualler License & Pledge of License – Canal Seafood Company, Inc., 20 Freezer Road Robert Colbert, Proposed Manager

Liquor License Change of Manager – British Beer Company, 46 Route 6A Dermot T. Quinn, Proposed Manager
8. Old Business (*60 Minutes*)
Town Neck Beach Reconstruction Project Update
Public Safety Planning Update
Beach Management Plan
NRG Zoning Exemption Letter
FY'17 Budget Update
Other Matters Not Reasonably Anticipated by the Chairman
9. New Business (*5 Minutes*)
Other Matters Not Reasonably Anticipated by the Chairman
10. Public Forum (*15 Minutes*)
11. Closing Remarks
12. Adjournment

NEXT MEETING: Thursday, January 28, 2016, 7:00 P.M., Town Hall

**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, January 21, 2016 at 7:30 p.m. in the Town Hall, 130 Main Street, Sandwich, MA to consider a new Annual All Alcohol Common Victualler License and Pledge of License for Canal Seafood Company, Inc. d/b/a Canal Seafood, Robert Colbert, Manager, 20 Freezer Road, Sandwich. Premises consists of portion of 7,863 square feet building. Licensed premise consists of 2,551 square foot restaurant including 414 square foot deck. Seating capacity 164. Two entrances, two exits. 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, MA

1. LICENSEE INFORMATION:

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

B. Business Name (if different) :

C. Manager of Record: Robert Colbert

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

E. Address of Licensed Premises: 20 Freezer Road

City/Town: Sandwich

State: MA

Zip:

F. Business Phone:

G. Cell Phone:

H. Email: bobcolbert1@gmail.com

I. Website:

J. Mailing address (if different from E.): 6 Massasoit Ave.

City/Town: Plymouth

State: MA

Zip: 02360

2. TRANSACTION:

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

The following transactions must be processed as new licenses:

- checkbox Seasonal to Annual, checkbox (6) Day to (7)-Day License, checkbox 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:

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

4. LICENSE CATEGORY:

- checkbox All Alcoholic Beverages, checkbox Wines & Malt Beverages, checkbox Wines, checkbox Malt, checkbox Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- checkbox Annual, checkbox Seasonal

WRITTEN ACTION IN LIEU MEETING
OF THE BOARD OF DIRECTORS

OF

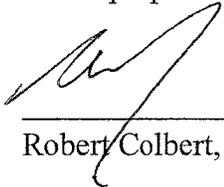
CANAL SEAFOOD COMPANY, INC.

The undersigned, being the all the members of the Board of Directors of Canal Seafood Company, Inc., (the "Corporation"), without a meeting hereby adopt the following resolutions and approve the taking of all actions authorized hereby.

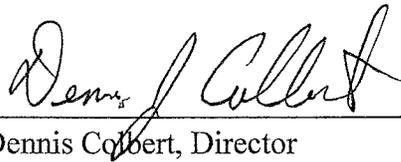
RESOLVED: That the President of the Corporation is hereby authorized to apply for a liquor license for a restaurant to be opened at 22 Freezer Road, Sandwich, Massachusetts and to take any all actions to complete such application.

RESLOLVED: That the President of the Corporation is authorized to enter into an option to lease and/or lease the area indicated on a plan attached hereto from Two Brothers Realty Investments, LLC.

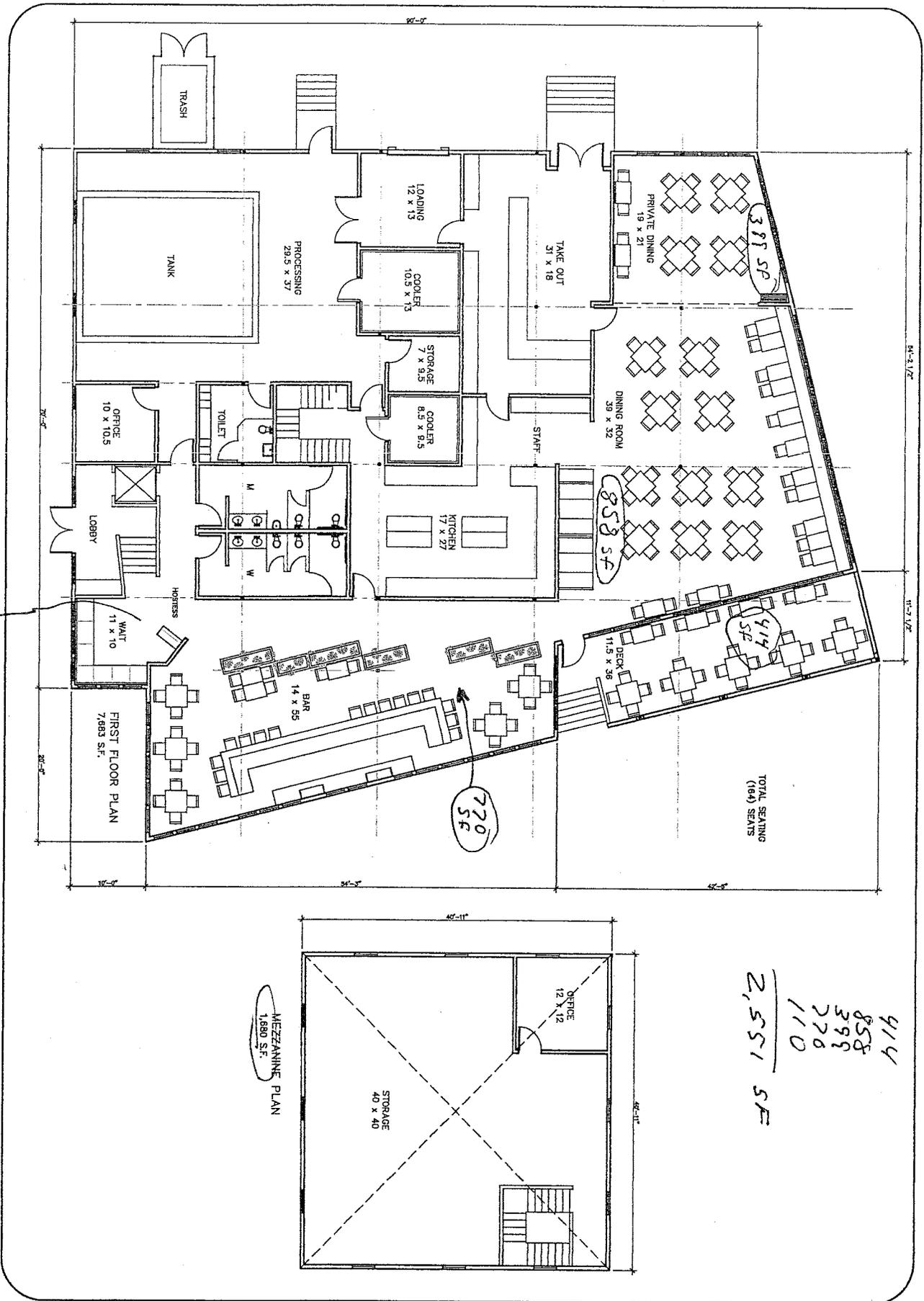
This Consent shall be filed with the minutes of meetings of the Corporation and shall be treated for all purposes as votes taken at a meeting.



Robert Colbert, Director



Dennis Colbert, Director



REVISIONS	
DWG. INFO.	
DATE	9-25-15
SCALE	3/8" = 1'-0"
DRAWN	CAJD
CHECKED	
APPROVED	

SHEET TITLE:	
FLOOR PLANS	
SHEET & JOB #:	
1	

PROPOSED BUILDING
for
TWO BROTHERS REALTY
FREEZER ROAD
SANDWICH, MASSACHUSETTS

THIS DRAWING REMAINS THE PROPERTY OF CONSERV GROUP INCORPORATED FOR THE PROJECT SHOWN. IN THE EVENT OF THE CONSTRUCTION WORK, DISCREPANCIES WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.

ConServ
Group Incorporated
110 State Road, Suite 7
Sagamore Beach, MA 02562
Tel: 508-888-6555

Coggeshall, Kathy

From: Spiro, Paul
Sent: Wednesday, November 25, 2015 11:05 AM
To: Coggeshall, Kathy; Haney, Blair
Cc: Brides, Brendan; Peters, Joshua
Subject: RE: Canal Seafood Company

A building permit application was submitted on Wednesday, November 18, 2015. In order to get started prior to the winter building season, they are requesting a "foundation only" permit so that they can gather the balance of the documents needed to build the structure from foundation up. They were granted a Special Permit on November 10, 2015 which is currently under the 20-day appeal period; this appeal period ends Monday, November 30, 2015. Once the SP is certified by Town Clerk's office that no one has appealed, the SP will have to be recorded at the Registry for it to become valid.

That's the scoop from this end..... Happy Thanksgiving

Paul D

Paul D. Spiro, CBO
Inspector of Buildings
Town of Sandwich
508-888-4200



From: Coggeshall, Kathy
Sent: Wednesday, November 25, 2015 10:49 AM
To: Haney, Blair; Spiro, Paul
Subject: Canal Seafood Company

Good Morning,
I just received the liquor application for Canal Seafood Company Inc. Robert Colbert, Manager – 20 Freezer Road.
Could you provide me with any permit info on this location for my files.

Thanks
Kath

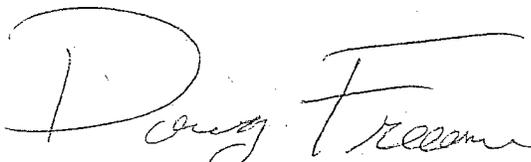
Kathleen Coggeshall
Office Manager
Office of the Town Manager and Board of Selectmen
130 Main Street
Sandwich, MA 02563
508-888-4910

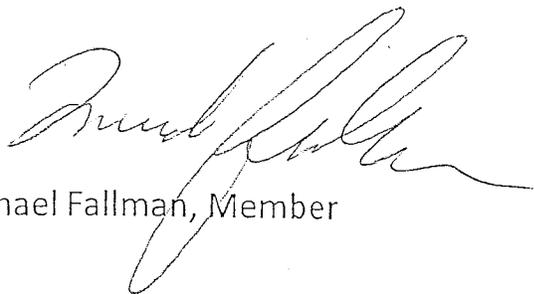


Vote of Sandwich Property, LLC

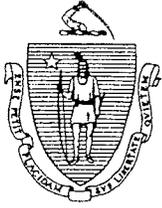
The undersigned, representing all of the members of the Sandwich Property, LLC and the managing member of the Sandwich Property, LLC hereby vote to and hereby authorize all action in connection with change of manager at the British Beer Company located at 46 Route 6A, Sandwich, Massachusetts from Michael Walsh to Dermot T. Quinn and the undersigned hereby authorize all other action in connection therewith.


Gary Simon, Member and Managing Member


Douglas Freeman, Member


Michael Fallman, Member

Date 11/23/15



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

107400014

ABCC License Number

Sandwich

City/Town

The licensee respectfully petitions the Licensing Authorities to approve the following transactions:

- Change of Manager
- Alteration of Premises
- Pledge of License/Stock
- Cordial & Liqueurs
- Change of Corporate Name/DBA
- Change of Location
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$ Interest Rate:

Payment Term: Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

Description of Alteration:

Change of Location: (must fill out attached financial information form)

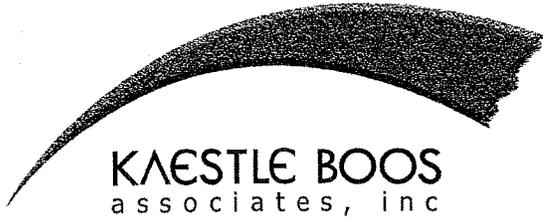
Last-Approved Location:

Requested New Location:

Signature of Licensee

Date Signed

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



KAESTLE BOOS
associates, inc

January 04, 2016

George H. Dunham,
Town Manager
Town of Sandwich, MA
130 Main Street
Sandwich, MA 02563

Re: Sandwich Public Safety Facility Study Amendment #6

Dear Mr. Dunham,

In response to your request, Kaestle Boos Associates (KBA) is pleased to propose a lump sum design services fee amendment to further the development of the three conceptual Sandwich Public Safety Buildings; the Police Department Headquarters, Fire Substation and a Dormitory Addition to the existing Fire Substation.

KBA understands that the purpose of the desired development is to bring the plans and elevations to a Schematic Design level where we will be able to produce an accurate cost estimate and provide greater understanding of the proposed design to the community during the public outreach process.

Scope of Additional Services

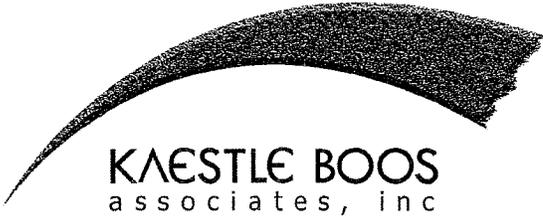
1. Site Exploration
 - a. KBA will retain a Geotechnical Engineer to conduct subsurface exploration at both the East Sandwich site and the Headquarters site (Quaker Meeting House Road and Cotuit Road) using a combination of borings and test pits to determine soil classifications at both sites.
 - b. The Geotechnical Engineer will assemble all findings into a report for each site and provide recommendations for soil bearing capacities as well as foundation system to be included in the design.
2. Schematic Design
 - a. KBA will develop colored site & floor plans, and colored elevations to the Schematic Design level of the Police Headquarters, Fire Sub-Station located at Quaker Meeting House Road and Cotuit road and the addition of dormitories at the east sandwich sub-stations based on the discussion and review of the Departments and Committee. The finalized floor plans will then be further developed into a full S.D. package including structural and mechanical, electrical, plumbing and fire protection narratives and issued to a cost estimate firm for detailed construction cost estimate. KBA will then develop an Opinion of Probable Project Cost based on this estimate.
3. General Marketing Support
 - a. KBA will attend two (2) marketing prep meetings, 2 public informational meetings, 1 Board of Selectman meeting and one (1) Town Meeting to assist the town in the marketing effort for the project.
 - b. KBA will update the Sandwich Public Safety web site (www.sandwichpublicsafety.com) with the current project information & designs as well as continue to administer any updates, and notifications desired by the Building Committee.

325 Foxborough Boulevard, Suite 100, Foxborough, MA 02035

Phone: 508-549-9906 ▲ Fax: 508-549-9907

Additional office located in Connecticut

Email: kba@kba-architects.com ▲ Web: www.kba-architects.com



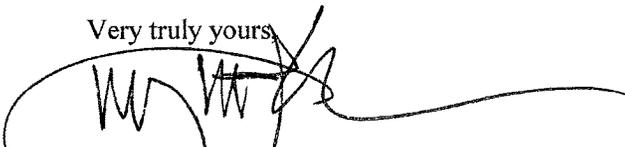
KAESTLE BOOS
associates, inc

4. Cost Estimate

- a. As above noted, KBA will retain an independent cost consultant to produce three Schematic Design level Construction Cost Estimates based on the floor plans, elevation design, and structural and mechanical, electrical, plumbing, & fire protection narratives. The estimate will be based on the anticipated market value at the proposed time for start of construction.

KBA proposes a lump sum fee of **Ninety-Seven Thousand Dollars (\$97,000)** to be invoiced monthly based on progress.

Very truly yours,



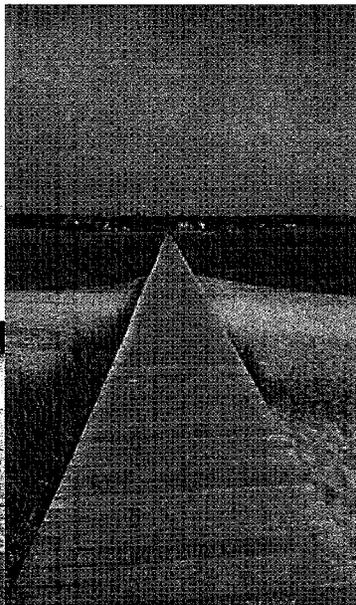
Michael J. McKeon, AIA, LEED AP
Vice President

KAESTLE BOOS ASSOCIATES, INC.
MJM:nml

George Dunham
Town Manager
Town of Sandwich, MA



Beach Management Plan for Town of Sandwich Beaches



Prepared For:
Town of Sandwich
16 Jan Sebastian Drive
Sandwich, MA 02563

Prepared By:
Woods Hole Group, Inc.
81 Technology Park Drive
East Falmouth, MA 02536

July 2013

**Beach Management Plan
for
Town of Sandwich Beaches**

July 2013

Prepared for:
Town of Sandwich
16 Jan Sebastian Drive
Sandwich, MA 02563

Prepared by:
Woods Hole Group
81 Technology Park Drive
East Falmouth MA 02536
(508) 540-8080

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EXECUTIVE SUMMARY

The Town of Sandwich contains 4 distinct public salt water beaches along its 8-mile Cape Cod Bay coastline, and 3 public freshwater beaches at inland kettle hole ponds within the Town's boundaries. This plan describes the existing natural and anthropogenic features present at each public beach:

Town Neck Beach	Oak Crest Cove
Springhill Conservation Lands	Ryder-Wakeby Park
East Sandwich Beach	Snake Pond
Scorton Neck Conservation Lands	

The Town of Sandwich recognizes its public beaches are valuable ecological, recreational and economic resources. This Beach Management Plan has been prepared to address the Town's beach management goals:

- Develop an inventory of natural and anthropogenic resources, and existing conditions at each public beach site that will serve as a reference document for beach managers.
- Develop a management program to preserve and enhance the natural and recreational functions of Sandwich public beaches.
- Identify planning, maintenance and monitoring activities that will facilitate improved management of the beaches.
- Clearly define and prioritize management recommendations.

The purpose of this Beach Management Plan is to outline and highlight current conditions and practices, as well as identify recommendations and additional management activities that the Town of Sandwich can incorporate into its existing beach management framework. Combined, the recommendations and activities outlined in this plan allow for public recreational opportunities in a safe and enjoyable environment, while bolstering protection of the existing dune and beach system, wildlife habitat, and other important ecological features, which are integral parts of these coastal resources. Although some of activities documented within the plan are already being performed by the town, implementation of many of the new recommendations will be subject to the Town's ability to obtain additional funding and/or staff resources. Insufficient funding and resources are major reasons why particular recommendations have not already been adopted. If implemented, however, these recommended activities could greatly improve the management of the Town's beach resources.

Several Town departments share beach management responsibilities. As part of this management plan, the roles and responsibilities of the various departments have been identified. These distinctions were made in an effort to provide coordination between departments, but it is the prerogative of the Town to reassign and redistribute responsibilities for various tasks as it sees fit, and as personnel availability allows. In fact, although the management recommendations represent a thorough and comprehensive list

of activities, the dynamic nature of the public beach sites necessitates a need for flexibility in future application. As such, the Beach Management Plan, and its associated recommendations and assigned responsibilities, should be considered a “living document” that should be reviewed and updated periodically to adjust to the changing conditions and needs of the beaches and their management.

TOWN OF SANDWICH

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET
SANDWICH, MA 02563

TEL: 508-888-4910 AND 508-888-5144

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E-MAIL: selectmen@townofsandwich.net

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BOARD OF
SELECTMEN

TOWN
MANAGER

December 10, 2015

Mr. Thomas E. Atkins
NRG Canal 3 Development LLC
9 Freezer Road
Sandwich, MA 02563

Re: Petition of NRG Canal 3 Development LLC – Town of Sandwich Support for Exemption from Zoning By-laws

Dear Mr. Atkins:

Town of Sandwich staff has met several times with representatives from NRG Canal 3 Development LLC ("Canal 3") to discuss NRG's plans to construct a highly efficient, fast-starting, peak electric generating facility on the existing 52-acre Canal Generating Station site in Sandwich, Massachusetts. The proposed Canal 3 facility is intended to provide additional needed capacity to the Southeast Massachusetts/Rhode Island load zone in the Independent System Operator-New England electric grid to help meet energy demand during peak times and is strongly supported by the Town of Sandwich. This support also stems from the tangible public health and environmental improvements that will come with a modern generation facility.

Canal 3 representatives have explained that NRG plans to seek zoning relief through the Department of Public Utilities ("DPU") pursuant to the provisions of M.G.L. c.40A, §3 to exempt Canal 3's construction and operation from the requirements of the Town of Sandwich Protective Zoning By-laws. Town staff has considered the uncertainties and delays that would occur if Sandwich's zoning by-laws were applied to the facility, especially in light of the comprehensive review that the project will be required to undergo by the Energy Facilities Siting Board ("EFSB") and the Cape Cod Commission ("CCC"). We have also increased our understanding of the zoning exemption process and Canal 3's need for the exemption.

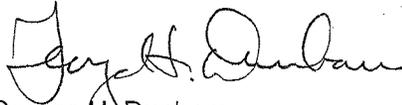
As Town Manager, I believe that any concerns our public officials and residents may have with Canal 3's construction and operation can be addressed during the EFSB and CCC review processes outside of the permitting specified in our local zoning. One of the reasons for this belief is the sheer size of the proposal which is so much larger than what our existing local bylaws and other regional regulations allow. It would be virtually impossible for NRG to construct Canal 3 and receive zoning variances of the magnitude needed. For example, Sandwich has a 45' height restriction on buildings in the relevant zoning district, yet the existing NRG Canal Units 1 & 2 have a building height in excess of 200' and exhaust stack height greater than 500'. Even though the infrastructure proposed with Canal 3 is much less obtrusive than the existing units, it will still be much higher than 45', with a proposed stack height of 220'.

Another reason for my support of the zoning waiver is the role the EFSB fulfills in looking out for the greater energy needs of our region. This greater public good threshold outweighs the local concerns typically encountered with more standard developments proposed in Sandwich. The type of fast-start generating facility being proposed by NRG is desperately needed in our region and will hopefully lead to additional modernization and development of the NRG Canal site. Such additional development and modernization is not only needed for the energy demands of our region, but is also critical to the future financial health of Sandwich.

Therefore, this letter is to confirm that I and Town staff support Canal 3's plan to request a comprehensive zoning exemption from the DPU for Canal 3's construction and operation of the facility. This support is also valid for any reasonable individual exemptions that may be required. Because the Board of Selectmen has not discussed this specific topic at a Selectmen meeting, I want to stress that this letter of support for the zoning exemption is from me as Chief Administrative Officer of the Town. The Board will be placing this topic on an upcoming agenda and, if it decides to take a formal position on this exemption, I will be sure to send you a second letter identifying the Board's position.

If you have any questions, please feel free to contact me. Thank you again for taking so much time to keep Town staff updated on Canal 3's development plans.

Sincerely yours,



George H. Dunham
Town Manager

cc: Board of Selectmen
Director of Planning & Economic Development
Inspector of Buildings
Director of Assessing
Planning Board
Zoning Board of Appeals
Cape Cod Commission Executive Director
Atty. John W. Giorgio, Town Counsel
Atty. Jeffrey M. Bernstein, Special Town Energy Counsel

PROJECTED REVENUES AND EXPENSES - FY'17

REVENUES

<u>FY'17 Tax Levy:</u>		
FY'16 Levy Limit	54,242,318	
2.5% Increase	1,356,058	
Est. New Growth	500,000	
Excess Levy Reserve Est.	0	
Overrides / Exclusions	0	
County Assess. Outside 2.5: CCC	166,918	
Debt Outside 2.5 (- Non-Levy & SBA)	918,091	57,183,385
<u>Other Revenue:</u>		
Land Bank / CPA Debt	1,326,638	
Marina Debt	200,000	
Mass. School Building Authority Funds	1,279,534	
State Aid: Discretionary (-7.50%)	1,852,026	
State Ch. 70 Aid: School (0.00%)	6,740,018	
Est. Local Receipts (<u>Includes Meals Tax</u>)	4,400,000	
Surplus Revenue / Free Cash	1,763,451	
Overlay Release	100,000	
Transfer from Stabilization Fund	0	<u>17,661,667</u>
Total Estimated Revenues		74,845,052

EXPENSES

<u>ReCap Sheet Items:</u>		
State Assess: Tuition Assess (10.00%)	3,592,317	
State Assess: All Other (3.00%+CCRTA)	602,985	
Abatements / Overlay	400,000	
FY'16 Snow & Ice Deficit	150,000	4,745,302
<u>Town Meeting Items:</u>		
Group Health Insur.+ Mitig. Plan (7.50%)	9,970,625	
County Retirement Assess. (6.60%)	3,355,082	
Property & Liability Insurance (2.50%)	861,000	
Medicare (6.00%)	636,000	
Unemployment Account	100,000	
OPEB Trust Fund	75,000	
Debt: Long Term	4,170,074	
Debt: Short Term	50,000	
Reserve Fund	500,000	
Capital Budget - Net	500,000	
Transfer to Stabilization Fund	25,000	20,242,781
<u>Operating Budgets:</u>		
School Budget: Local (3.00%)	24,977,500	
Ch. 70 (0.00%)	6,740,018	31,717,518
UCCRVTS Budget (7.50%)		2,202,860
General Gov't. Budget (3.00%)		<u>15,805,511</u>
Total Estimated Expenses		74,713,972

<u>Stabilization Fund Balance:</u>	
Actual Balance on 11/30/15:	1,226,393
Proposed Transfer From/To Stabilization Fund:	<u>25,000</u>
Projected Post ATM Balance:	1,251,393

ESTIMATED FY'17 BUDGET BALANCE 131,080