

**SELECTMEN'S MEETING AGENDA\***

*Griffin Room, Town Hall  
Regular Meeting 6:30 P.M.  
Monday, December 12, 2016*

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **WEEKLY BRIEFING**

IV. **PUBLIC COMMENT/ANNOUNCEMENTS**

V. **CONSENT AGENDA**

- A. Approve the 2017 Annual Liquor License Renewals
- B. Approve the 2017 Annual General License Renewals for Auto Licenses, Common Victuallers without Entertainment, Inns/Lodging Houses
- C. Authorize Chair to sign letter to Representative Peake and Senator-Elect Cyr regarding petition for increase of senior exemption Special Legislation approved at May 2016 Town Meeting
- D. Approve application for Road Race for Cape Cod Athletic Club for January 15, 2017
- E. Approve application for Road Race for Cape Cod Getaway MS Bike Ride for June 25, 2017
- F. Approve application for Road Race for Ragnar Cape Cod for May 12 & 13, 2017
- G. Approve the appointment of Al Donoghue as an alternate member of the ZBA as recommended
- H. Approve the appointment of Joan McCarty as a full member of the Historic District/Historical Commission as recommended
- I. Approve Amendment to the Contract for Whitehouse Field fencing to move the completion date from December to April 1, 2017

VI. **PUBLIC HEARINGS/PRESENTATIONS** *(Not earlier than 6:30 P.M.)*

- A. Annual Meetings with the Board of Selectmen
  - 1. Saquatucket Development Committee
  - 2. Waterways Committee
- B. Public Hearing – Adoption of Noise By-Law Standard for Entertainment Licenses and Adoption of Uniform Hours of Entertainment – *continued from 11/14/16 & 12/5/16*
- C. Town Administrator submits 7-Year Capital Plan to joint meeting of Board of Selectmen and Finance Committee
- D. Presentation by Hilltop Security on Financing of Capital Budget

VII. **OLD BUSINESS**

- A. Historic District/Historical Commission membership – potential Charter amendment

VIII. **NEW BUSINESS**

IX. **TOWN ADMINISTRATOR'S REPORT**

- A. Interim Finance Director position update
- B. Building Commissioner position update

X. **SELECTMEN'S REPORT**

XI. **ADJOURNMENT**

*\*Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

Authorized Posting Officer:

\_\_\_\_\_  
Ann Steidel, Admin. Secretary

Posted by: \_\_\_\_\_  
Town Clerk

Date: \_\_\_\_\_  
December 8, 2016

**2017 ANNUAL LIQUOR LICENSE RENEWALS**

400 East, Inc.  
1421 Route 39  
East Harwich, MA 02645  
Gail O. Sluis, Manager  
**Common Victualler - All Alcohol**

A.J. Lukes of Harwich, Inc.  
224 Route 28  
West Harwich, MA 02671  
Arthur J. Luke, Manager  
**Package Goods Store - All Alcohol**

Allen Harbor Yacht Club, Inc.  
371 Lower County Rd.  
Harwich Port, MA 02646  
Peter Moynagh, Manager  
**Club - All Alcohol**

Ashwood Food Service Inc.  
d/b/a Jake Rooney's  
119 Brooks Rd.  
Harwich Port, MA 02646  
Peter Klaus, Manager  
**Common Victualler - All Alcohol**

Bourne Petroleum Ltd.  
d/b/a Harwich Exxon  
173 Pleasant Lake Ave.  
Harwich, MA 02645  
Jaime Almeida, Manager  
**Package Goods Store - Wine & Malt**

Brax Restaurant Management, Inc.  
d/b/a Brax Landing  
705 Route 28  
Harwich Port, MA 02646  
Jeffrey S. Gomes, Manager  
**Common Victualler - All Alcohol**

Charles J. Weiss  
d/b/a 7-Eleven 34434A  
5 Route 28  
West Harwich, MA 02671  
Charles J. Weiss, Manager  
**Package Goods Store - Wine & Malt**

WFS Restaurant Group, Inc.  
d/b/a L'Alouette  
787 Route 28  
Harwich Port, MA 02646  
Christian Schultz, Manager  
**Common Victualler - All Alcohol**

Ember Pizza, Inc.  
d/b/a Ember  
600 Route 28  
Harwich Port, MA 02646  
Justin R. Brackett, Manager  
**Common Victualler - Wine & Malt**

John F. Connell  
d/b/a Cape Cod Claddagh Inn & Irish Pub  
77 Route 28  
West Harwich, MA 02671  
John F. Connell, Manager  
**Innholder - All Alcohol**

Portside Liquors III, Inc.  
d/b/a Portside Liquors  
1421 Route 39  
East Harwich, MA 02645  
Zeina Metri, Manager  
**Package Goods Store - All Alcohol**

Harwich Port Seafarer, Inc.  
d/b/a Harwich Port Seafarer  
86 Sisson Rd.  
Harwich Port, MA 02646  
Damien Wiseman, Manager  
**Innholder - All Alcohol**

Harwichport House of Pizza, Inc.  
330 Route 28  
Harwich Port, MA 02646  
Aleks Sotiri, Manager  
**Common Victualler - All Alcohol**

Hot Stove Saloon, Inc.  
d/b/a Hot Stove Saloon  
551 Route 28  
Harwich Port, MA 02646  
Gabriel Leidner, Manager  
**Common Victualler - All Alcohol**

Land Ho Harwichport LLC  
d/b/a Land Ho  
429 Route 28  
Harwich Port, MA 02646  
Dillon J. Murphy, Sr., Manager  
**Common Victualler - All Alcohol**

Lepinay, Inc.  
d/b/a Cranberry Liquors  
555 Route 28  
Harwich Port, MA 02646  
Joseph V. DellaMorte, Manager  
**Package Goods Store - All Alcohol**

Main Street Quik Pik, Inc.  
d/b/a Main Street Market  
715 Main St.  
Harwich, MA 02645  
Anil Patel, Manager  
**Package Goods Store – All Alcohol**

Morningstar Restaurant, Inc.  
d/b/a Villa Roma  
278 Route 28  
West Harwich, MA 02671  
Douglas R. Morrissey, Manager  
**Common Victualler - All Alcohol**

Maulik Corporation  
d/b/a Value Mart  
435 Route 28  
Harwich Port, MA 02646  
Bahecharbhai Patel, Manager  
**Package Goods Store – Wine & Malt**

Shogun Inc.  
d/b/a Noble House  
21 Route 28  
West Harwich, MA 02671  
Amy Liang, Manager  
**Common Victualler - All Alcohol**

Shooting Star Realty, LLC  
d/b/a Buca's Restaurant  
4 Depot Rd.  
S. Harwich, MA 02661  
Robert J. Chiappetta, Manager  
**Common Victualler - All Alcohol**

Spyridon & Aglaia Christakis  
d/b/a George's Pizza House  
564 Route 28  
Harwich Port, MA 02646  
Spyridon & Aglaia Christakis, Managers  
**Common Victualler - Wine & Malt**

William R. Coffin & Sons, Inc.  
d/b/a Plum's Package Store  
326 Route 28  
Harwich Port, MA 02646  
John W. Coffin, Manager  
**Package Goods Store - All Alcohol**

Zack, Inc.  
d/b/a Castaways  
986 Route 28  
South Harwich, MA 02661  
Deborah B. Merrill, Manager  
**Common Victualler - All Alcohol**

Ham and Bri, LLC  
d/b/a Red's Pizza  
703 Main St.  
Harwich, MA 02645  
Brienne Smith, Manager  
**Common Victualler – All Alcohol**

Pekarkill Inc.  
d/b/a Local Flavor Lunch & Bagel  
403 Pleasant Lake Ave.  
Harwich, MA 02645  
Elaine Pekarck, Manager  
**Package Goods Store – Wine & Malt**

## 2017 ANNUAL GENERAL LICENSE RENEWALS

Acme-Shorey Precast Co., Inc.  
36 Great Western Rd., Harwich  
**Auto Class I – Agents or Sellers**

Alexander the Great, Inc.  
d/b/a Alecsie's House of Pizza  
181 Route 137, Unit 3, Harwich  
**Common Victualler**

Barnaby Inn  
36 Route 28, West Harwich  
**Lodging House**

Barry Bessette  
d/b/a BB's Automotive  
805 Route 28, Harwich Port  
**Auto Class II – Used Car Dealer**

Bassil Brothers Inc.  
d/b/a Harwichport Getty  
570 Main St., Harwich Port  
**Auto Class II – Used Car Dealer**  
**Auto Class IV – Vehicle Repairman**

Bluefish Bed & Breakfast  
102 Parallel St., Harwich  
**Lodging House**

Bonatt's Restaurant & Bakery  
537 Route 28, Harwich Port  
**Common Victualler**

Braddock, Inc.  
d/b/a Winstead Inn & Beach Resort  
4 Braddock Lane, Harwich Port  
**Innholders**

Braddock, Inc.  
d/b/a Winstead Inn & Beach Resort  
Parallel St., Harwich  
**Innholders**

Brax Restaurant Management Inc.  
d/b/a Brax Landing  
705 Route 28, Harwich Port  
**Common Victualler**

Buckies Biscotti  
554 Route 28, Harwich Port  
**Common Victualler**

Cape & Islands Collision, Inc.  
d/b/a Cranberry Collision  
161 Queen Anne Rd., Harwich, MA  
**Auto Class II – Used Car Dealer**  
**Auto Class IV – Auto Repairman**

Carlos Tapia  
d/b/a JC Auto Sales  
195 Queen Anne Rd., Harwich  
**Auto Class II – Used Car Dealer**

Dave's Garage  
910 Route 28, S. Harwich  
**Auto Class IV – Auto Repairman**

Dan & Sue Edwards  
d/b/a Tern Inn  
91 Chase St., West Harwich  
**Lodging House**

Dent Donuts LLC  
d/b/a Dunkin' Donuts  
481 Route 28, Harwich Port  
**Common Victualler**

Dent Donuts LLC  
d/b/a Dunkin' Donuts  
175 Route 137, Harwich  
**Common Victualler**

Dream Big Holdings, Inc.  
d/b/a The Platinum Pebble Boutique Inn  
186 Belmont Road, West Harwich  
**Innholders**

Epiros Holdings, LLC  
d/b/a George's Pizza House  
564 Route 28, Harwich Port  
**Common Victualler**

Harbor Breeze Inn, LLC  
d/b/a Allen Harbor Breeze Inn &  
Gardens  
326 Lower County Road, Harwich Port  
**Lodging House**

Harwichport House of Pizza, Inc.  
d/b/a Harwichport Pizza  
330 Route 28, Harwich Port  
**Common Victualler**

Harwich Port Seafarer, Inc.  
d/b/a Harwich Port Seafarer  
86 Sisson Road, Harwich Port  
**Innholders**

Hot Stove Saloon, Inc.  
d/b/a Hot Stove Saloon  
551 Route 28, Harwich Port  
**Common Victualler**

Inn of Treasured Memories, LLC  
d/b/a Inn of Treasured Memories  
473 Main St., Harwich  
**Innholders**

Jim Cox Foreign Car Service  
d/b/a Jim Cox Foreign Car Service  
210 Queen Anne Rd., #15, Harwich  
**Auto Class IV – Auto Repairman**

Joseph D. Lang  
d/b/a All Out Performance  
136 Factory Road, Harwich  
**Auto Class IV – Auto Repairman**

Morin-Froughton, Inc.  
d/b/a Lighthouse Café  
216 Route 28, West Harwich  
**Common Victualler**

Murphy/Torres LLC  
d/b/a Upper Crust Pizza  
1421 Route 39, Unit 25, Harwich  
**Common Victualler**

Nancy L. Clapp  
d/b/a Clapp's Guest House  
15 South St., Harwich Port  
**Lodging House**

Nick & Claudine Enterprises LLC  
d/b/a West Harwich Save-On-Gas  
4 Route 28, West Harwich  
**Auto Class IV – Auto Repairman**

Peter S. Stagg  
182 Route 137, Harwich  
**Auto Class II – Used Car Dealer**  
**Auto Class IV – Auto Repairman**

Reflections Auto Restoration  
4 Evergreen Way, Harwich  
**Auto Class IV – Vehicle Repairman**

Ruggies, Inc.  
d/b/a Ruggies  
707 Main St., Harwich  
**Common Victualler**

Sam's Automotive Center  
d/b/a Sam's Auto Repair and Sales  
413 Route 28, Harwich Port  
**Auto Class II – Used Car Sales**  
**Auto IV – Auto Repairman**

Scott's Cycle  
210 Queen Anne Rd., #1, Harwich  
**Auto Class IV – Auto Repairman**

Shooting Star Realty  
d/b/a Buca's Tuscan Roadhouse  
4 Depot Rd., Harwich  
**Common Victualler**

Shogun, Inc.  
d/b/a Noble House  
21 Route 28, West Harwich  
**Common Victualler**

Steven's Auto Repair  
216 Main St., #7 & 8, Harwich  
**Auto Class IV – Auto Repairman**

Super Stop & Shop  
d/b/a Starbucks  
Routes 39 & 137, Harwich  
**Common Victualler**

Subfleet, Inc.  
d/b/a Subway  
1 Auston Rd., E. Harwich  
**Common Victualler**

Wayne's Auto Service  
643 Main St., Harwich  
**Auto Class IV - Vehicle Repairman**

WFS Restaurant Group, Inc.  
d/b/a L'Alouette  
787 Route 28, Harwich Port  
**Common Victualler**

Zack, Inc.  
d/b/a Castaways  
986 Route 28, South Harwich  
**Common Victualler**

Zou Garden, Inc.  
d/b/a Szechuan Delight  
1421 Orleans Rd., Unit #24, East  
Harwich  
**Common Victualler**



December 13, 2016

State Representative Sarah Peake  
Room 163  
State House  
Boston, MA 02133

Senator-Elect Julian Cyr  
Room 405  
State House  
Boston, MA 02133

Re: Home Rule Petition – Chapter 59, §5, Clause 41C

Dear Representative Peake and Senator-Elect Cyr:

During the Town of Harwich's Annual Town Meeting this past May, a petition was submitted by the Board of Assessors on the Warrant under Article 43 that allows for a vote to authorize the Board of Selectmen to file a Home Rule Petition authorizing an increase in the maximum senior exemption allowed under General Laws Chapter 59, §5, Clause 41C in the amount of \$1,500.00 as follows:

AN ACT RELATIVE TO A SENIOR EXEMPTION FOR THE TOWN OF HARWICH

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

SECTION 1. Notwithstanding the provisions of Clause 41C of Section 5 of Chapter 59 of the General Laws, or of any other general or special law to the contrary, the Board of Assessors in the Town of Harwich is hereby authorized to grant a senior exemption in the amount of \$1,500.00 to individuals meeting the qualifications contained in Clause 41C of Section 5 of Chapter 59.

SECTION 2. In the fiscal year in which this Act takes effect, the Town of Harwich is hereby authorized to reimburse those eligible for a senior exemption under Clause 41C of Section 5 of Chapter 59 of the General Laws in the amount of \$500.00

SECTION 3. This act shall take effect upon its passage.

Provided however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to the enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition.

Sincerely,

Michael D. MacAskill, Chair  
Harwich Board of Selectmen

AMEND M.G.L. CHAPTER 59, §5, CLAUSE 41C – SENIOR EXEMPTION

**ARTICLE 43** To see if the Town will vote to support the Harwich Board of Selectmen’s request to the State Legislator to pass a bill amending the Senior Exemption (as provided in Chapter 59, §5, Clause 41C) amount from a maximum of \$1,000.00 to a maximum of \$1,500.00 as a local option for all cities and towns and/or as a home rule petition for the Town of Harwich, and to act fully thereon. By request of the Harwich Board of Assessors.

*Explanation: The Board of Assessors would like advocate for most vulnerable citizens of the Commonwealth. We feel that the senior citizens of our community and all others in the Commonwealth are struggling. We would like for this article be approved by the Legislation. This article is for our most vulnerable residents over 65 who have income and assets not exceeding:*

	<u>Income</u>	<u>Assets</u>
Single	\$24,849	\$40,652
Married	\$37,274	\$55,897

**FINANCE COMMITTEE RECOMMENDS THIS ARTICLE BE ACCEPTED AND ADOPTED. THE FINANCE COMMITTEE SUPPORTS THE EFFORT TO GET THE STATE TO INCREASE THE EXEMPTION FOR SENIORS. VOTE: YES-6, NO-0**

**MOTION:** (Dana DeCosta, Chairman-Finance Committee) I move that the Town authorize the Board of Selectmen to file a Home Rule Petition authorizing an increase in the maximum senior exemption allowed under General Laws Chapter 59, §5, Clause 41C in the amount of \$1,500.00 as follows:

AN ACT RELATIVE TO A SENIOR EXEMPTION FOR THE TOWN OF HARWICH

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

SECTION 1. Notwithstanding the provisions of Clause 41C of Section 5 of Chapter 59 of the General Laws, or of any other general or special law to the contrary, the Board of Assessors in the Town of Harwich is hereby authorized to grant a senior exemption in the amount of \$1,500.00 to individuals meeting the qualifications contained in Clause 41C of Section 5 of Chapter 59.

SECTION 2. In the fiscal year in which this Act takes effect, the Town of Harwich is hereby authorized to reimburse those eligible for a senior exemption under Clause 41C of Section 5 of Chapter 59 of the General Laws in the amount of \$500.00

SECTION 3. This act shall take effect upon its passage.

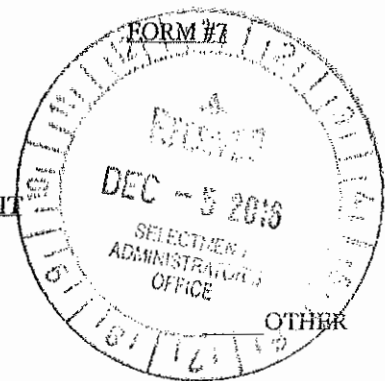
Provided however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to the enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition.

**ACTION:** It was a unanimous vote, so declared.





OFFICE OF THE SELECTMEN  
732 MAIN STREET  
HARWICH, MA 02645  
Telephone: (508) 430-7513



APPLICATION FOR LICENSE/PERMIT

PLEASE CHECK

ROAD RACE

CRAFT FAIR

IN ACCORDANCE WITH THE PROVISIONS OF THE STATUTES RELATING THERETO, APPLICATION AS STATED ABOVE IS HEREBY MADE BY:

NAME OF BUSINESS Cape Cod Athletic Club PHONE \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_

MAILING ADDRESS P.O. Box 1992, Hyannis, MA 02601

PLEASE STATE THE PURPOSE FOR WHICH LICENSE/PERMIT IS REQUESTED A road race for CCAC members only, operating out of Land Ho Restaurant in Harwich Port

DESCRIPTION OF ROAD RACE/CRAFT FAIR/OTHER EVENT TO BE LICENSED, PLEASE LIST DATE, TIME, LOCATION/ROUTE, ETC.

DATE Sunday, January 15, 2017

TIME 10:30 start for competitive race walkers; 11am for runners

\* ROUTE/LOCATION Race starts and ends on Ki Idee Rd., near George's Fish Market. Course proceeds down Ki Idee Rd., right onto Lower County Rd., left onto Gray Neck, right onto Shore, right onto Pleasant, left onto Lower County, right onto Chase, right onto Pleasant, left (please use reverse side if necessary) onto Hodson, left onto Lower County, left onto Ki Idee

Jawanna P. Cole  
Signature of Applicant

Aide to CCAC President  
Title

Social Security Number of Federal Identification Number

Cape Cod Athletic Club  
Signature of Individual or Corporate Name

04-3146995  
Tax Exempt ID (for non-profit organizations)

JC for Howard Tansey  
By Corporate Officer (if applicable)

\* Map attached

**\*\*\*REGULATORY COMPLIANCE FORM\*\*\***

THE EVENT(S) TO BE LICENSED AS DESCRIBED HEREIN HAVE BEEN REVIEWED AND APPROVED BY:

*[Signature]* 12/5/16  
Police Department Date

\_\_\_\_\_  
Building Commissioner Date

\_\_\_\_\_  
Recreation & Youth Commission Date

\_\_\_\_\_  
Board of Health Date

*[Signature]* 12/5/16  
Fire Department Date

\*\*\*Required signatures are to be obtained by the Applicant prior to submission of application with the Selectmen's Office.

=====

For Office Use Only

FEE \_\_\_\_\_ CASH \_\_\_\_\_ CHECK \_\_\_\_\_

FOR \_\_\_\_\_

REVIEWED BY \_\_\_\_\_

DATE LICENSE ISSUED \_\_\_\_\_

=====





Christopher Clark  
Town Administrator  
Town of Harwich  
732 Main St.  
Harwich, MA. 02645

November 14, 2016

Dear Mr. Clark,

We will be holding our 33<sup>rd</sup> annual Cape Cod Getaway MS Bike Ride on June 24<sup>th</sup> and 25<sup>th</sup>, 2017. This two day, 150 mile bicycle tour attracts 2100 cyclists, who ride from Boston, Mass. to Provincetown, Mass. to raise funds to support the National Multiple Sclerosis Society.

We respectfully request the use of local and state roads for the ride on June 25. I have enclosed cue sheets showing our route. Cyclists will be instructed to ride single file, on the right side of the road, and to follow all vehicle law, including stopping at red lights and stop signs.

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

Please let me know if there are additional steps, permits or permissions I must take to assure approval of the town of Harwich to host our event. I have also provided an Event Notification Form that you can use to indicate your approval for our request.

If you need any further information or have any questions regarding this request please don't hesitate to call me. Thank you for your support of the Cape Cod Getaway MS Bike Ride.

Best Regards,

Bill Sykes  
Sport Coordinator  
Promoter Line, Inc  
13 River St., Plymouth, MA 02360  
East Coast Office  
508 746 3207 o / 508 746 1695 f / 508 954 9037 c  
bill@promoterline.com  
www.promoterline.com



FORM #7

OFFICE OF THE SELECTMEN  
732 MAIN STREET  
HARWICH, MA 02645  
Telephone: (508) 430-7513

APPLICATION FOR LICENSE/PERMIT

PLEASE CHECK

ROAD RACE

CRAFT FAIR

OTHER

IN ACCORDANCE WITH THE PROVISIONS OF THE STATUTES RELATING THERETO, APPLICATION AS STATED ABOVE IS HEREBY MADE BY:

NAME OF BUSINESS National MS Society c/o Promoter Line, Inc PHONE 508 746 3207

BUSINESS ADDRESS 13 River St., Plymouth, MA 02360

MAILING ADDRESS Same

PLEASE STATE THE PURPOSE FOR WHICH LICENSE/PERMIT IS REQUESTED \_\_\_\_\_

For the MS cape Cod Getaway bike ride fundraiser


DESCRIPTION OF ROAD RACE/CRAFT FAIR/OTHER EVENT TO BE LICENSED, PLEASE LIST DATE, TIME, LOCATION/ROUTE, ETC.

DATE 6/25/17

TIME 7AM-2PM

ROUTE/LOCATION Route attached

(please use reverse side if necessary)

  
Signature of Applicant

Sport Manager

Title

\_\_\_\_\_  
Social Security Number of Federal Identification Number

042178884  
Tax Exempt ID (for non-profit organizations)

\_\_\_\_\_  
Signature of Individual or Corporate Name

\_\_\_\_\_  
By Corporate Officer (if applicable)

# EVENT NOTIFICATION FORM

Date: \_\_\_\_\_

## National MS Society, Cape Cod Getaway – June 24 & 25, 2017

Dear Sir / Madam,

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

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

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

### LOCAL POLICE DEPARTMENT

Signed: 

Title: Asst Chief

City/Town: \_\_\_\_\_

### FIRE DEPARTMENT

Signed: 

Title: Fire Chief

City/Town: Harwich

### BOARD OF SELECTMEN/CITY COUNCIL

Signed: \_\_\_\_\_

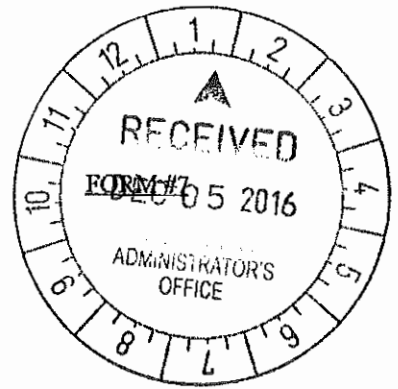
Title: \_\_\_\_\_

City/Town: \_\_\_\_\_

34.8		Harwich						6:40:13	10:40:34
35.4		Pass under RT6						6:41:57	10:44:53
35.8		Turn left onto Main St. - four way stop						6:43:06	10:47:46
36.1		Slight left onto Queen Anne Rd.						6:43:58	10:49:55
38.3		Turn left onto Pleasant Lake Ave.						6:50:18	11:05:46
38.5		Cross over RT6						6:50:53	11:07:12



OFFICE OF THE SELECTMEN  
732 MAIN STREET  
HARWICH, MA 02645  
Telephone: (508) 430-7513



APPLICATION FOR LICENSE/PERMIT

PLEASE CHECK

ROAD RACE                       CRAFT FAIR                       OTHER

IN ACCORDANCE WITH THE PROVISIONS OF THE STATUTES RELATING THERETO, APPLICATION AS STATED ABOVE IS HEREBY MADE BY:

NAME OF BUSINESS Ragnar Events, LLC                      PHONE 617-686-3216  
BUSINESS ADDRESS 12S 400W 2nd Floor, Salt Lake City, UT 84101  
MAILING ADDRESS 7 Donna Pass, Hopkinton MA 01748

PLEASE STATE THE PURPOSE FOR WHICH LICENSE/PERMIT IS REQUESTED \_\_\_\_\_

Requesting permission to use roads and town property (for parking) for a running relay event. Runners will be in Harwich from around 1am-9am (heading to and leaving) Sand Lake Rec; 10pm-10am at the Harwich Community Center and then from approx 9am-7pm at the lot at Earl Road Beach. on Friday May 12 and Saturday May 13th. The times above are mostly on Sat May 13th.

DESCRIPTION OF ROAD RACE/CRAFT FAIR/OTHER EVENT TO BE LICENSED, PLEASE LIST DATE, TIME, LOCATION/ROUTE, ETC.

DATE May 12 & May 13th

TIME Times listed above and on attached proposal.

ROUTE/LOCATION See attached proposal.

(please use reverse side if necessary)

Michael Dionne  
Signature of Applicant

Race Director  
Title

\_\_\_\_\_  
Social Security Number of Federal Identification Number

\_\_\_\_\_  
Tax Exempt ID(for non-profit organizations)

\_\_\_\_\_  
Signature of Individual or Corporate Name


\_\_\_\_\_  
By Corporate Officer (if applicable)





**\*\*\*REGULATORY COMPLIANCE FORM\*\*\***

THE EVENT(S) TO BE LICENSED AS DESCRIBED HEREIN HAVE BEEN REVIEWED AND APPROVED BY:

\_\_\_\_\_  
Police Department                      Date  
  
 12-1-16  
\_\_\_\_\_  
Recreation & Youth Commission      Date  
Department

\_\_\_\_\_  
Building Commissioner                      Date

\_\_\_\_\_  
Board of Health                                      Date

\_\_\_\_\_  
Fire Department                                      Date

**\*\*\*Required signatures are to be obtained by the Applicant prior to submission of application with the Selectmen's Office.**

\_\_\_\_\_  
\_\_\_\_\_  
For Office Use Only  
FEE \_\_\_\_\_ CASH \_\_\_\_\_ CHECK \_\_\_\_\_  
FOR \_\_\_\_\_  
REVIEWED BY \_\_\_\_\_  
DATE LICENSE ISSUED \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\*\*REGULATORY COMPLIANCE FORM\*\*\***

THE EVENT(S) TO BE LICENSED AS DESCRIBED HEREIN HAVE BEEN REVIEWED AND APPROVED BY:

Kevin Condit      12/5/16  
Police Department      Date

\_\_\_\_\_  
Building Commissioner      Date

\_\_\_\_\_  
Recreation & Youth Commission      Date

\_\_\_\_\_  
Board of Health      Date

[Signature]      12/5/16  
Fire Department      Date

**\*\*\*Required signatures are to be obtained by the Applicant prior to submission of application with the Selectmen's Office.**

\_\_\_\_\_  
\_\_\_\_\_  
For Office Use Only

FEE \_\_\_\_\_ CASH \_\_\_\_\_ CHECK \_\_\_\_\_

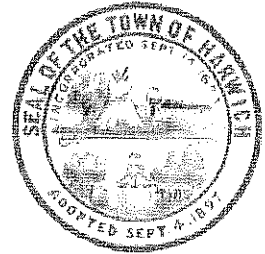
FOR \_\_\_\_\_

REVIEWED BY \_\_\_\_\_

DATE LICENSE ISSUED \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

# Harwich Recreation Department **2017** Youth, Park, Beach, & Commission



## USE OF FACILITY FORM

DATE 10-21-16

### LOCATION REQUEST

BEACH or PARK  
 BROOKS PARK & GAZEBO  
 BROOKS FIELD / COURT  
 VETERAN'S MEMORIAL FIELD COMPLEX  
 BASEBALL  SOFTBALL  MULTI

SR MEMORIAL FIELD  
 WHITEHOUSE FIELD  
 J McPHEE SOCCER FIELD  
 POTTER SOFTBALL FIELD  
 NON-PROFIT Y / N

CONTACT PERSON Mike Dionne ORGANIZATION Ragnar Events, LLC

MAILING ADDRESS -Local- 7 Donna Pass CITY, ST, ZIP Hopkinton, MA 01748

EMAIL mdionne@ragnarrelay.com CELL PHONE 617-686-3216

PURPOSE OF REQUEST use of fields behind community center # OF ATTENDEES 5500

DATE(S) REQUESTED\* Friday May 12 from 8am (set-up) until Saturday May 13<sup>th</sup> at 12 (clean up)

\*ALL DATES ARE SUBJECT TO AVAILABILITY

HOURS OF USE ~8pm until 12Noon on the 13th AREA REQUESTED Fields behind the center

SPECIAL REQUESTS OR NEEDS Would like to set up 50 small tents (stakes <8") and 1 40x40 tent. Set-up of the large tent would be permitted by the tent company and set up on Friday afternoon. Can be taken down on Sunday. Would also have portajohns and a dumpster delivered for this and then removed on Monday following the event. Like to have the sprinkler system turned off.

- ❖ Use of temporary tents larger than 12'x12' require location approval and a separate Town TENT PERMIT
- ❖ Use of tent stakes over 8" requires ADDITIONAL PERMISSIONS
- ❖ Activities dispensing food to the PUBLIC requires Harwich Board of Health PERMIT
- ❖ Approval pending all other required Town permits and approvals
- ❖ APPLICATION DEADLINE FOR FIELD USE FOR ANY YEAR IS FEBRUARY 1ST

USE	FEE	CAP	REFUNDABLE DEPOSIT	TOTAL DUE
FIELD OR COURT USE - ONE GAME	\$20.00	\$1000	\$50.00*	_____
WHITEHOUSE FIELD USE - ONE GAME	\$50.00	\$1000	\$50.00*	_____
FIELD/WHF MULTI DAY USE	\$150/FIELD/DAY		\$50.00-\$500*	_____
PARK OR BEACH USE - FULL DAY, WEDDING, FAMILY FUNCTION, OR SPECIAL EVENT	\$150.00		\$50.00-\$500*	_____
USE OF ELECTRICITY - PARKS	\$25/DAY		\$50.00*	_____
FIELD, PARK, BEACH USE - MULTI DAY EVENT	\$150.00/DAY		\$50.00-\$500*	_____
WHF LIGHT USAGE CHARGE/PER USE (BILLABLE IN ¼ HOUR INCREMENTS)	\$65.00/HOUR		\$500.00*	_____
BEACH COOK FIRE	\$ 20.00		\$50.00*	_____

\* <100 people \$50 deposit required, >100 people \$100 deposit required, >200 people \$300 deposit required, > 500 people \$500 deposit required. DEPOSITS WILL BE REFUNDED AFTER A SITE INSPECTION HAS BEEN COMPLETED AND/OR APPLIED TO USE OF FACILITY INVOICES WITH ANY UNUSED BALANCE RETURNED.

MJD

I HAVE READ THE ATTACHED RULES AND REGULATIONS REGARDING USE OF THIS RECREATION FACILITY AND AGREE THAT I/OUR ORGANIZATION WILL ABIDE BY THEM.

Initials

APPLICANT

SIGNATURE: Michael Dionne

TITLE Race Director

BY: \_\_\_\_\_

DATE 10-26-16

RECREATION REPRESENTATIVE



RAGNAR CAPE COD

May 12-13, 2017



a seriousfun camp



**Ragnar Cape Cod 2017 | Supplemental Information**

# 12 FRIENDS 2 VANS 2 DAYS 1 NIGHT 200 MILE RELAY UNFORGETTABLE STORIES

## ABOUT RAGNAR

Ragnar is the overnight running relay race that makes testing your limits a team sport.

At Ragnar, we strive to make life more awesome. This may sound like a lofty goal, but it starts very simple. We believe in better health, lasting relationships and an enormous amount of fun.

Americans average 7 hours + of screen time and 4 minutes outdoors a day. We exist to break that cycle and rebuild individuals' connections with their mind and body, with nature, and with other like-minded people. Ragnar is changing relationships, communities, participant health and wellness, and the world of endurance sports.

The Cape Cod event is sponsored and managed by Ragnar Events LLC. Ragnar Events presented its first event, the Ragnar Relay Wasatch Back, in Utah in 2004. To date, Ragnar Events has presented over 38 events in over 20 states (the courses for some events running through more than one state) in 2016. The Ragnar Relay Series in 2017, will consist of over 40 events, is the largest series of overnight relays in the world. For more information, see [www.ragnarrelay.com](http://www.ragnarrelay.com).

## RAGNAR CAPE COD 2017

The race will start at Nantasket Beach in Hull, MA on Friday May 12<sup>th</sup>, 2017 and is currently proposed to finish in Dennis at West Dennis Beach. on Saturday May 13<sup>th</sup>, 2017. The course will be nearly 195 miles consisting of 36 relay legs with each leg ranging in 3-8 miles.

Each team is responsible for providing two support vehicles, with six runners in each vehicle. The first vehicle will drop off the first runner at the start, and then proceed to the first exchange point. At the first exchange, the vehicle will drop off the second runner and pick up the first runner when that runner's leg is complete. Teams will repeat this pattern for six legs until they hand off to their second vehicle. This leapfrogging pattern will continue all the way to the finish line.

We anticipate 500 teams to participate in the race. Each team is typically comprised of 12 individuals and 2 vehicles (there are a few "ultra" teams that only have six (6) individuals and one van). Therefore, we anticipate ~5000 participants and 950 vehicles to be involved in the race.



# 12 FRIENDS 2 VANS 2 DAYS 1 NIGHT 200 MILE RELAY UNFORGETTABLE STORIES

## COMMUNITY IMPACT

Communities also directly benefit economically from money spent by participants for food, lodging and other services. Additionally, Ragnar partners with regionally based charities for each event to encompass an even more positive impact on the local communities.

This year Ragnar Events is very fortunate to partner with The Hole in the Wall Gang Camp, a non-profit organization dedicated to providing “a different kind of healing” to seriously ill children and their families throughout the Northeast, free of charge. It’s a community that celebrates the fun, friendship and spirit of childhood, where every kid can “raise a little hell.” Ray Shedd, Senior Development Officer of Hole in the Wall Gang Camp, said “the Ragnar experience embodies what Camp is all about – camaraderie, challenge, and a healthy dose of crazy, good fun!

Through our partnership, The Hole in the Wall Gang Camp will be receiving a monetary donation in addition to fundraising efforts on behalf of our teams.

To learn more about The Hole in the Wall Gang Camp visit: <http://www.holeinthewallgang.org/>



## Proposal to the Town of Harwich

This year the route is changing due to relocating the finish to West Dennis Beach. The first part of the event will come into Harwich as it has in the past and would use the Sand Lake Rec area as in 2016 and the community center (we are working with the staff there for permission) as in previous years. We would then come back into Harwich on Saturday and would request to use part of the Earle Street Beach parking lot. Please see the legs below. Several of the exchanges are not located in Harwich but the runners would be on a portion of road that is part of Harwich getting from one exchange to the next.

**Turn by Turn Directions Leg 23 : Runners approximately 1am-9am, Sat May 13th**

- Heading east on Main Street/Highway 6A
- Turn Right on Slough Road
- Continue South on Depot Street
- Turn Left on Great Western Road
- Arrive at Exchange 23 – Sand Lake Recreation Area

**Turn by Turn Directions Leg 24: Teams arriving around 10PM on the 12<sup>th</sup>, runners arriving around 1:30am until around 10am on Sat May 13<sup>th</sup>.**

- Head back on Great Western Road toward Bells Neck Road.
- Take left turn onto Bells Neck Road
- Take left turn onto Cape Cod Rail Trail (CCRT).
- Take left onto Oak Street.
- Arrive at Harwich Community Center, exchange 24.

**Turn by Turn Directions Leg 25: Runners approximately 2am-10:30am Sat May 13th**

- Continue on Oak Street toward Queen Anne Road
- Take Left onto Queen Anne Road
- Take Right turn onto CCRT.
- Follow CCRT to Stonybrook Elementary School, Exchange 25.

**Turn by Turn Directions Leg 34: Runners arriving around 8am-5pm Sat May 13th**

- Exit Exchange 33 at Captains Golf Course (Brewster) onto Freemans Way.
- Take Right turn onto Orleans-Harwich Road.
- Bear Left onto Church Street
- Right onto Old Queen Anne Road
- Left onto Meetinghouse Road
- Arrive at Exchange 24 Redemption Rock Church (Chatham).

**Turn by Turn Directions Leg 35: Runners arriving around 9am-6pm Sat May 13th**

- Continue on Meetinghouse Road
- Right onto Water Road
- Left onto Depot Road
- Right onto Main St (Route 28).
- Continue onto Lower County Road
- Left onto Patricia Lane
- Arrive at Exchange 35 – Earle Street Beach

**Turn by Turn Directions Leg 36**

- Depart beach on Earle Road
- Left onto Lower County Road



- Left onto Lighthouse Road
- Arrive at West Dennis Beach

## Traffic | Safety | Emergencies | First Aid

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### Traffic Impact

We anticipate 500 teams to register for this year's event. That means no more than 500 runners will be on the course at any given time. Teams will be provided with staggered start times, from 5 AM to 3 PM on Friday, May 12<sup>th</sup>. Because start times are spread over a 9-hour period and only 500 runners are on the course at any given time, *there will never be a large group of runners at any one location*. Typically the complete group of 500 individual runners will be spread out over 40-50 miles.

### Safety

Runner safety is of foremost concern. All teams are provided a Race Bible that includes a detailed course description and event rules. All runners sign waivers to acknowledge that the course includes areas where there may be traffic congestion and that they must obey race rules, which require observance of all applicable traffic rules and regulations.

All runners are required to run on the sidewalk when available. If there is no sidewalk available then the route has been designed where a sufficient shoulder or bike lane is available. Whenever, possible our runners are directed to run against traffic as that is typical safe practice for runners. Runners are all also required to obey all crosswalk signals. Vehicles with teammates are required to obey all speed limits, traffic signs, and laws of the road.

Each team must have at least six reflective vests and two flashlights. These must be presented at the time that the team checks in. Runners starting their legs after **7:00 PM and before 6:00 AM** must be wearing a reflective vest, a flashing tail light and holding a flashlight or headlamp. Additionally, any team-member or spectator must wear a reflective vest during these hours when outside of their vehicle while on our course and on public roads.

Runners are also instructed during a required team safety briefing to text Ragnar for any concerns of problems out on the course. The designated number to reach Ragnar Race Command is 661-RAGNAR1 (661-724-6271). Race Command communicates with all Staff members via telephone, push-to-talk radio, and text. Race Command manages weather, runner location, lost runners, animal control, night time hours, and rule infractions. Teams may text if they have a lost or injured runner, a moved sign, or general question about the course. In case of emergency all runners and staff will call 911 then contact our Race Command number to let race staff know of the emergency. This number and information on our safety requirements are outlined as well on the RagMag – our race day publication.

We have 10-12 Ragnar Staff and trained volunteers on the course at all times monitoring the course. Ragnar teams can be issued by any Ragnar Staff or trained volunteer for violating any rules outlined in the 'Race App' participants download on their phones. These violations are then reported to Race Command and Race Command will then notify the team that they have been given a violation.

### First Aid

A first-aid station and first-aid staff will be located at each major exchange location. These first-aid stations will be equipped to handle extreme dehydration, heat stroke, and all of the minor sport injuries we often experience, including; blisters, sprains, strains, stings, etc. We require our first aid staff to be licensed to administer intravenous fluids (typically EMT intermediate and above, or RN, PA, M.D., etc). We hire first aid workers (EMT intermediate or above), either through a medical staffing agency.

In the event of a major medical emergency (i.e. any life threatening condition or injury that requires immediate medical attention) we instruct runners/volunteers to first call 911. The line of communication then follows: 911 → Race Director → Senior Race Director → Course Manager for that section.

In addition to our own first aid services on the course, we list the local emergency rooms near the course, along with their address and phone number in the race packets.

## Safety | Emergencies | First Aid (2)

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### Contingency/inclement weather plan

#### Bad Weather

The race will occur rain or shine. However, under certain severe weather conditions where significant damage or alterations to the race course occur, we will cancel the event. Conditions that may result in a race being canceled or delayed include but are not limited to the following: severe electrical storm, snowfall, tornadoes, earthquakes, hurricanes, flooding, fog, etc.

#### Lightning

If there is lightning at the start of the race we will delay starts until the lightning clears. If runners see lightning on the course after the race has started, runners are to off the road and into the support vehicle. If lightning clears within 1 hour runner will go back on the road where they left and make a note of the time. If lightning persists longer than an hour, runners will move ahead to the next exchange and be informed of Ragnar decision on whether or not the race will continue.

#### Rain

If there is severe rain on the course, we will ask that runners and teams return to their support vehicles and drive to the nearest exchange point. Severe rain hold hours will be set in full hour increments. Runners will skip 1 leg per 1 hour of the hold. Teams will be directed to drive to the nearest exchange where Ragnar will send staff to manage exchange while keeping 4-8 staff members to troubleshoot on the course.

#### Heat

If the apparent temperature reaches 120°F we will implement a heat hold. The Heat Hold hours will be set in full hour increments. Runners will skip 1 leg per 1 hour of Heat Hold. Teams will be directed to drive to the nearest exchange where Ragnar will send staff to manage and explain the heat hold while keeping 4-8 staff members to troubleshoot on the course.

#### Flooding

If a runner encounters flooded areas that cannot be ran through, runner are to get into the support vehicle, drive the runner ahead where the road is no longer flooded to continue running his or her leg.

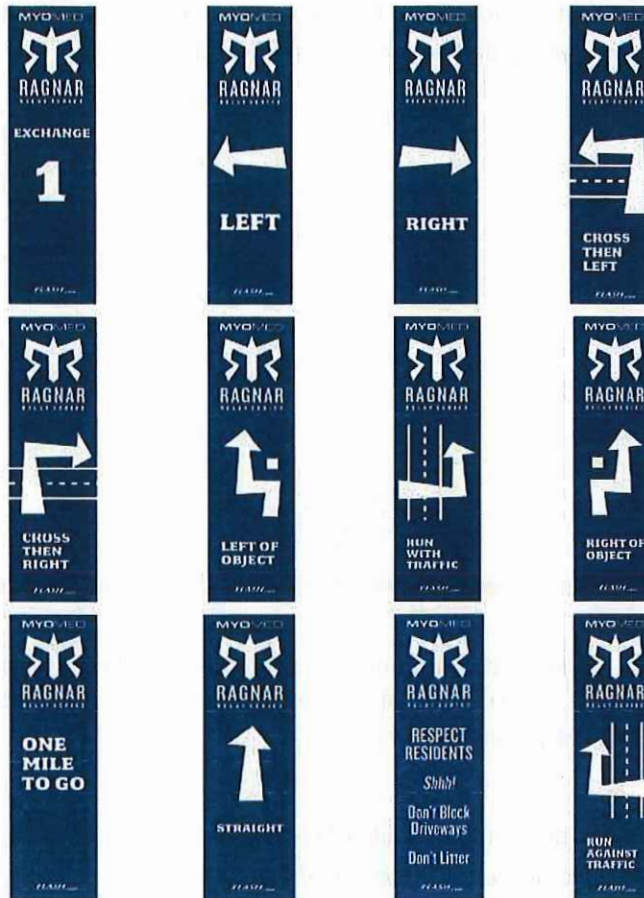
## Signs

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Along the course there will be course signs that communicate to the runners which direction to go, on what side of the road to run, which exchange they are at, etc. Directional signs are only placed at change of direction intersections. An example of such a sign can be seen in the picture below:

The signs are 42" High, 18" Wide, .25" Thick and are made of corrugated plastic. Each sign will be secured to a delineator post traffic cone. An example of the traffic cone is shown below.





## Additional Information

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### Insurance

We are sanctioned under USA Track and Field through American Specialty Insurance. I will forward you the certificate of insurance as soon as it is issued to us.

### Waste receptacles

We will hire a company to place dumpsters at each of our major exchange locations. In addition – the exchange will also have various Ragnar trash boxes for participants on site at the Finish line. Volunteers and Staff will be given the task of emptying the trash cans and keeping exchanges clean.

### Toilets

We will hire a company to place toilets at each of our exchange locations. The details will be worked out with the location owners/directors.



Mike Dionne | Race Director  
Ragnar Relay Series

7 Donna Pass, Hopkinton MA  
01748

Corporate Office:  
12 S. 400 W. | 2<sup>nd</sup> Floor  
Salt Lake City, UT 84101

O 877.83.RELAY ext. 142

F 801.499.5023

C 617-686-3216

[mdionne@ragnarrelay.com](mailto:mdionne@ragnarrelay.com)



# MEMO

**TO:** Board of Selectmen

**FROM:** Jannell Brown, Angelo La Mantia  
Selectmen's Interview/Nomination Committee

**RE:** Appointment Recommendation

**DATE:** December 12, 2016

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Following posted interviews held on Tuesday, December 6, 2016 we would like to recommend to the Board the following:

1. Al Donoghue to the ZBA as an alternate member – term to expire on June 30, 2017
2. Joan McCarty to the Historic District/Historical Commission – term to expire on June 30, 2018

**INTERVIEWS – Tuesday, December 6, 2016 at 1:30 p.m.**

- A. Approve Minutes – September 13 and September 20, 2016 Interviews
- B. Interviews:

<u>Time</u>	<u>Applicant:</u>	<u>Vacancy</u>	<u>Comment</u>
1:30 pm	Al Donoghue	Board of Appeals (Alternate) Unexpired term to 2017	
1:45 pm	Joan McCarty	Historic District/Historical Commission 1 vacancy - Full member to 2018	

- C. Date for next interviews
- D. Miscellaneous discussion regarding appointments and/or procedures

# MEMO

To: Harwich Board of Selectmen  
Christopher Clark, Town Administrator

From: Eric Beebe, Recreation Director

RE: Amendment to Whitehouse Field Fence Project Contract

Date: December 7, 2016

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I would like to request that the Board of Selectmen approve an amendment in the Whitehouse Field Fence Project Contract and Award Letter. We would like to make the completion due date April 1 of 2017 rather than December of 2016.

The project was awarded to Green Acres Landscaping and this amendment to the contract fits within our time line of when we need the work completed.

Thank you for your attention to this matter.

Eric Beebe, Director  
Harwich Recreation Department





December 12, 2016

Mr. Leo McCray  
Green Acres Landscape & Construction Co., Inc.  
21 Malbone Street  
Lakeville, MA 02347

Re: Contract Amendment #1 - Article 2 Time of Completion

Dear Mr. McCray,

At a public meeting of the Board of Selectmen held on Monday, December 12, 2016 the Selectmen considered the request of the Recreation Director to amend the Contract for fencing at Whitehouse Field. (Memo attached)

The Contract for this project was awarded to Green Acres Landscaping & Construction on November 14, 2016 with a completion date of December 16, 2016. Due to timing constraints it has been requested to move the completion date to April 1, 2017.

The Selectmen voted to approve the following Amendment #1 to the Contract:

**ARTICLE 2. Time of Completion**  
**Fence to be removed and replaced by April 1, 2017**

Please sign where indicated below and return to our office for our files. Thank you for your assistance.

For the Town:  
Harwich Board of Selectmen

For the Contractor:  
Green Acres Landscaping & Construction

\_\_\_\_\_  
Michael D. MacAskill, Chairman

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Peter S. Hughes, Vice Chairman

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Julie E. Kavanagh, Clerk

\_\_\_\_\_  
Angelo S. La Mantia

\_\_\_\_\_  
Jannell M. Brown

## **Saquatucket Development Committee Annual report for 2016**

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### **Saquatucket Harbor Landside Renovations:**

The Saquatucket Development Committee meetings have been enthusiastically attended, and documentation discussed with the general public resulting in the recommended design concepts for the Saquatucket Landside that were presented and approved in 2015 by the BOS and Town Meeting. As a result, the town has contracted with Brown Lindquist Fenuccio & Raber to perform the architectural & engineering services for the landside renovations that include a new Harbormaster Department office building, Café restaurant, Boardwalk, Maintenance building and consolidated ticket office, and landscaping.

An \$187,500 state Coastal Zone Management grant was received to help fund the engineering design costs of the project.

Design plans are underway, and the Saq. Dev. Com. anticipates the recommended design will be presented to the BOS, General Public and 2017 Town Meeting for approval and funding with the objective of beginning the Landside Construction during the summer of 2017.

In addition to the proposed design, the Saq Dev Com has discussed important areas beyond the basic Landside Designs for sidewalks, crosswalks, handicap access, landscaping and potential public uses of the property including seasonal areas for vehicle parking, arts & crafts, and winter boat storage.

Respectfully submitted

W. Matthew Hart,

Chairman Saquatucket Development Committee

## **Waterways Committee Annual Report for 2016**

The Town of Harwich Waterways Committee has had an interesting and successful year of progress thanks to the efforts of the Harwich residents, the Harbormaster's Department, Natural Resource Department and the Waterway Committee with one unexpected potential obstacle from the Army Corps of Engineers for 2016.

The Waterways Committee has worked closely and successfully with the boaters, residents, Board of Selectmen and the Harbormaster's Department. The meetings have been well attended, and the member's attendance, and participation have been commendable.

### **Projects:**

Saquatucket Municipal Marina – At the last annual town meeting the voters unanimously approved a \$7 million project to replace the Saquatucket Municipal Marina docks, piles, and services. The project also includes dredging approximately 12,500 cubic yards of material from the harbor.

This Marina upgrade would include a handicap accessible ramp system that would bring the new marina in compliance with the American with Disability Act. In addition, a \$1 million Seaport Economic Council grant

was received to help fund the reconstruction project; specifically, the East Dock section that includes the handicap accessible ramp system for the passenger boats and the commercial fishing boat slips.

This Marina replacement project will be funded over a 20-year term with approximately 75% of the debt service paid from harbor revenues.

The Marina replacement engineering design is complete, but we are experiencing delays in receiving required permits from the Army Corps of Engineers. As a result, the project has been delayed a year.

Assistance from the BOS to garner congressional support for the project and the timely review by the Army Corps has been requested and is needed so that the Marina Project can begin in September of 2017.

**Budget:**

Harbormaster Department again exceeded previous year's revenue, without any rate changes. The department collected \$1,035,059 in revenue for Fiscal Year 2016.

## **Public Safety:**

This past boating season the Harbormaster Department responded to 51 maritime assistance cases (25 boat tows, 5 groundings, 5 boat dewatering, 6 persons in the water (PIW), and 10 miscellaneous)

## **Facility Upgrades:**

Installed new public restroom and tight tank at Allen Harbor

Re-graded and re-paved the Allen Harbor parking lot with a pervious pavement and filtration system

Installed a new lifting Davit and Winch system at Wychmere town pier for the commercial fishing fleet

Installed new public restroom at Wychmere pier

With the assistance of the Facilities Department, made major repairs to the town Shellfish Lab; replaced the roof, floor and added support beams and piles to stabilize the building.

## **Dredging:**

Approximately 5100 cubic yards of material dredged from Allen Harbor channel. The beach nourishment material was placed on Earle Road and Grey Neck Road public beaches.

Saquatucket channel and Allen Harbor channel are scheduled dredging for spring 2017.

**Harbor Management Plan:** Changes that were approved.

Mooring Regulations

Designation of Commercial Fishing Vessel moorings

Established a Special Purpose Mooring for Stonehorse Yacht Club

Winter Boat Storage rates

**Artificial Reef:**

The deployment by barge of approximately 1,600 cubic yards of concrete that was left over from the demolition of the old Harwich HS, was used to construct an artificial reef 2.8 miles south of Saquatucket entrance channel. MA Division of Marine Fisheries funded the \$146,000 project from recreational saltwater fish permit fees.

Respectfully submitted,

W. Matthew Hart,

Chairman Harwich Waterway Committee

**OFFICE OF THE TOWN ADMINISTRATOR**

**Christopher Clark**, *Town Administrator*

Phone (508) 430-7513

Fax (508) 432-5039

732 MAIN STREET, HARWICH, MA 02645



## MEMO

To: Board of Selectmen

From: Christopher Clark, Town Administrator

cc: Jeremy Gingras, Chamber of Commerce  
Chief Guillemette, Police Department  
Deputy Chief Gagnon, Police Department  
Entertainment License Holders

Date: December 1, 2016 (REVISED)

Subject: Conditions for Entertainment Licenses – Recommendations based on Public Hearing Comments  
(Along Route 28 Harwich Port Corridor)

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Currently all Entertainment Licenses issued by the Board indicate that noise levels are not to exceed the licensed premises. I recommend that the Board vote to remove this language from the licenses therefore changing the standard that music within a dwelling should be contained within the building. Any music, inside or outside, should adopt the standard used in the Noise By-Law. We have had two meetings and a lot of discussion, hopefully this captures where we are in the process.

I recommend the following standard be included on Entertainment Licenses along Route 28 by Harwich Port and also selling liquor:

- A. Inside Entertainment – Every day until 11:00 p.m. or until liquor closing whichever is later. Start times per request of applicant. No entertainment at the licensed premises may be conducted in a manner such that the noise from the entertainment is creating a nuisance and can be heard outside the boundaries of the premises.
- B. Outside Entertainment – Every day until 10:00 p.m. Start times per request of applicant. The standard would be reasonable sound levels and which is plainly audible at a distance of 150 feet from boundary line or source of sound amplification system whichever is further, along with consider expanding above to all establishments' entertainment.

Also amend the Liquor License Regulations Section 1.09 Subsection e to delete and replace with above but to be held at a duly noticed public hearing for all.

The Board of Selectmen may want to consider this change for this year as a trial before expansion. I would recommend that if consensus cannot be reached that all licenses be re-issued under the same terms and conditions as last year.



**Harwich Port Entertainment Licenses  
Restaurants on Route 28, Harwich Port  
as of September 2016**

<b>Establishment</b>	<b>Weekday Entertainment</b>	<b>Sunday Entertainment</b>
Brax Landing	No	No
Ember	5:00 pm to 12:00 am inside 5:00 pm to 10:00 pm outside	No
Hot Stove	No	No
Jake Rooneys	8:00 pm to 12:00 am	1:00 pm to 12:00 am
Land Ho	11:30 am to 10:00 pm	6:00 pm to 10:00 pm
Mad Minnow	12:00 pm to 10:00 pm	No
Perks	6:00 pm to 10:00 pm	No
Salt Block Food Truck	10:30 am to 12:00 am	No
Sundae School *	11:00 am to 10:30 pm	1:00 pm to 10:30 pm

\*Licensed for Antique Nickelodeon only.

**HARWICH BOARD OF SELECTMEN  
NOTICE OF PUBLIC HEARING**

**ADOPTING NOISE BY-LAW STANDARD FOR ENTERTAINMENT  
LICENSES**

**ADOPTING UNIFORM HOURS OF ENTERTAINMENT  
NOVEMBER 14, 2016**

The Harwich Board of Selectmen will hold a Public Hearing on Monday, November 14, 2016, no earlier than 6:30 PM during their regularly scheduled meeting. This hearing will be held in the Donn B. Griffin Room located at Town Hall, 732 Main Street, Harwich for the purpose of discussing adopting the Noise By-Law standard for entertainment licenses and adopting uniform hours of entertainment along the Route 28 corridor in Harwich Port. All members of the public having an interest in this topic are cordially invited to attend the public hearing and provide information and testimony relevant to these proposals.

Harwich Board of Selectmen

The Cape Cod Chronicle  
Oct. 27, 2016

premises, whether or not the Authority's agents are able to prove that the licensee actually served the drink directly to the minor. Sufficient security personnel shall be employed to monitor the premises to ensure that patrons do not pass alcoholic beverages to minors.

- e. Any establishment licensed to sell alcoholic beverages to be drunk on the premises shall post a copy of the penalties for driving under the influence set forth in section G.L. c.90, §24. Establishments licensed to sell alcoholic beverages not to be drunk on the premises shall post a copy of the penalties for operating a motor vehicle while drinking from an open container. Said copies shall be posted conspicuously in said establishments. Said copies are available from the Alcoholic Beverages Control Commission.
- f. Food service shall be available in all areas of the licensed premises where alcoholic beverages are served, this to include dining areas and lounge areas. This does not include any area approved as a waiting area by the Licensing Authority.

**1.09 Entertainment at Licensed Premises**

- a. No licensee may provide entertainment of any kind unless the licensee holds an entertainment license issued pursuant to G.L. c.140, §183A. Such license must be held in the same name, by the same owners, and with the same manager as the food or beverage license; provided, however, that in cases where entertainment on the premises is to be conducted by a person or entity who is an independent contractor at the premises, the food or beverage licensee may seek the approval of the Licensing Authority for an exemption from this rule based upon a written contract with the independent contractor which gives control of the premises to the food or beverage licensee while allowing the independent contractor to book and/or to produce the entertainment.
- b. The food or beverage licensee shall be responsible for the actions of any independent contractor on the premises providing entertainment in addition to the responsibility held by the independent contractor pursuant to the entertainment license.
- c. The food or beverage licensee shall pay the independent contractor a fee according to the written contract, said fee to be commensurate with the market value of the services, and the independent contractor shall not be given any direct or indirect interest in the licensed premises other than the fee set out in the contract. Said fee shall not be based upon the number of patrons attending an entertainment event.
- d. Any food or beverage licensee who permits entertainment at the licensed premises pursuant to a license held by a person in violation of this rule will be subject to disciplinary action by the Authority.

- e. No entertainment at the licensed premises may be conducted in a manner such that the noise from the entertainment is creating a nuisance and can be heard outside the boundaries of the premises.
- f. No dancing by patrons is permitted except upon proper licensing pursuant to G.L. c.140, §183A, and confined to a particular dance floor area which has been approved by the Authority and which is not inconsistent with the entertainment license requirements.
- g. Entertainment shall not be conducted on the premises prior to the opening or subsequent to the closing hour set by the Authority for the exercise of the food or beverage license or during any period when the food or beverage license has been suspended.
- h. No licensee may have upon the premises any automatic amusement devices unless such machines have been approved and separately licensed by the Authority pursuant to G.L. c.140, §177A. Types of machines and location of machines upon the premises must be approved. The licensee must make application, not the distributor.
- i. Licensees shall not permit any games to be played at the premises for money, alcoholic beverages, or for any other prize. Games may be played for money at certain fundraising activities which have been approved by the Authority and for which the licensee holds other appropriate licenses.
- j. Licensees who hold licenses under G.L. c.138, §12 to serve alcoholic beverages for on premises consumption may petition the Authority for approval to allow dancing on Sundays between the hours of twelve midnight and one o'clock A.M. or two o'clock A.M. for the same hours for which the licensee is authorized to sell alcoholic beverages. (G.L. c.138, §33).

#### **1.10 Environs of Licensed Premises**

- a. It shall be the obligation of licensees to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Each licensee shall be accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances.
- b. Licensees shall act reasonably and diligently to disperse loiterers or patrons who attempt to congregate in front of or at the licensed premises. Failure of the licensee to keep persons from congregating at the licensed premises may lead to disciplinary action against the licensee for allowing a public nuisance. Action to be taken by the licensee shall include: (1) maintaining the front door in a closed

Town of Harwich, MA  
Monday, November 14, 2016

## Chapter 189. Noise

[HISTORY: Adopted by the Special Town Meeting of the Town of Harwich 5-5-2009 by Art. 1; amended in its entirety 5-3-2011 STM by Art. 20. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Peace and good order — See Ch. 214.

### § 189-1. Definitions; regulations; exemptions; special permits; violations and penalties.

[Amended 5-7-2012 ATM by Art. 23]

- A. Definitions. As used by this bylaw, the following terms shall have the meanings indicated:

#### PLAINLY AUDIBLE

Any sound from a source regulated by this bylaw that can be detected above routine or normal ambient background noise by unaided human hearing.

#### SOUND AMPLIFICATION SYSTEM

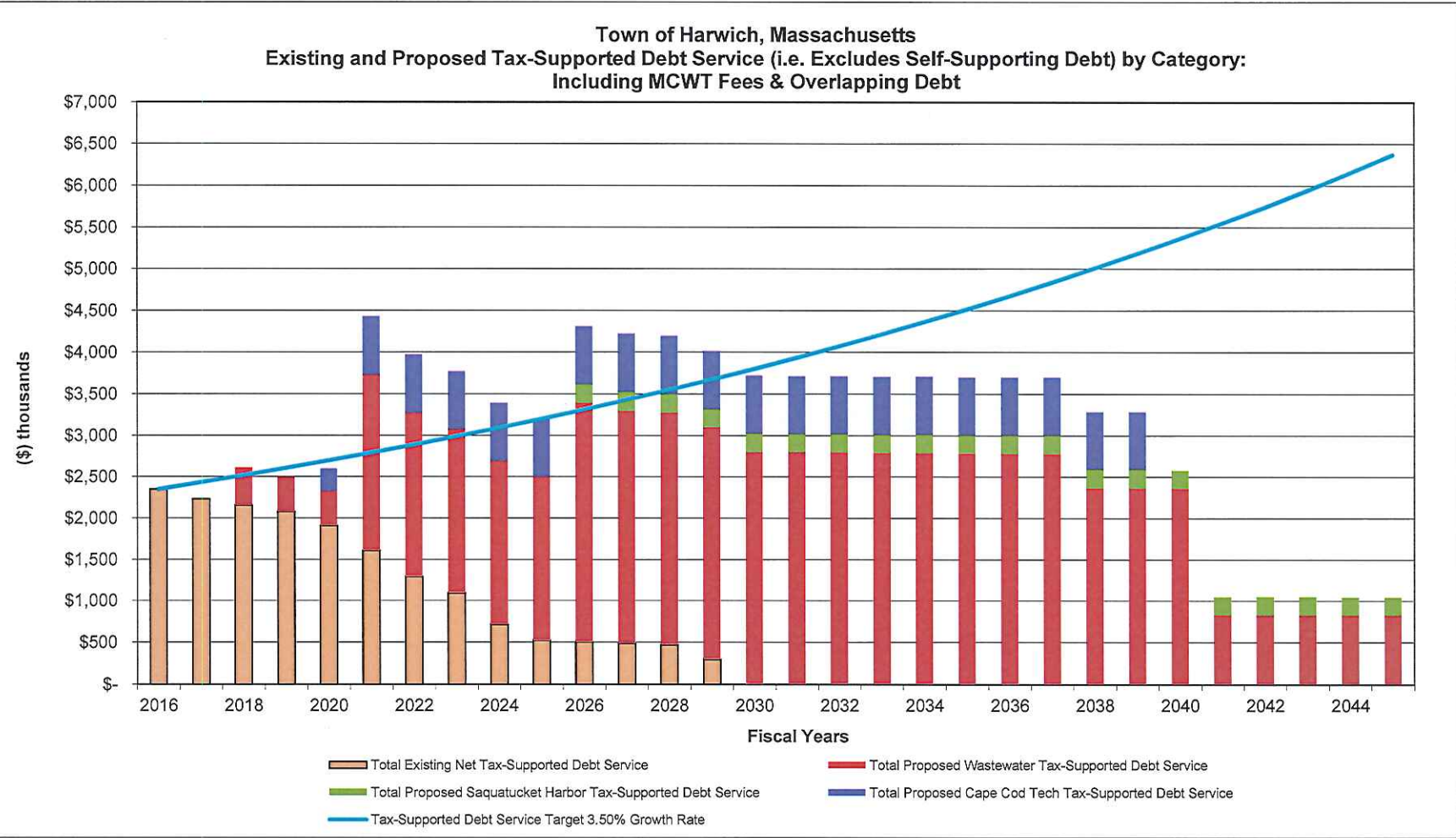
Any fixed or portable system to operate or amplify sound, including, but not limited to, phonograph, radio, television, stereo, record player, tape player, cassette player, compact disk player, digital music player, "boom box," or loud speaker.

- B. It shall be unlawful for any person or persons to cause or allow any noise which emanates from any building, boat, structure, vehicle, premises, or any sound amplification system, which is plainly audible at a distance of 150 feet from any such building, boat, structure, vehicle, premises or sound amplification system. The fact that the noise is plainly audible at a distance of 150 feet from the building, structure, vehicle, boat, premises or sound amplification system in which or from which it originates shall constitute prima facie evidence of a violation of this section. Each such act, which constitutes a violation of this section, which either continues or is reported more than 30 minutes after the issuance of a warning or citation to cease said activities, shall be considered a separate offense and shall be prosecuted as a separate offense in accordance with § 189-1E.
- C. Sounding horns excessively. It shall be unlawful to sound or use automobile, truck or other motor vehicle horns or similar signaling devices upon the public streets, alleys, parking lots, or thoroughfares of the Town in excess of those signals necessary for the preservation of safety and is a violation of this bylaw at anytime.
- D. For the purposes of this bylaw, noises which disturb the reasonable quiet, comfort, repose, or health of others shall include loading or unloading activities, use of power tools and equipment, use of lawn or landscaping equipment, loud outcries, and other loud or boisterous noises which are not specifically exempted by § 189-1F and which are plainly audible at a distance of 150 feet from their source between 10:00 p.m. and 7:00 a.m., except as otherwise indicated as outlined in § 189-1B.

- E. Procedure upon violation. It shall be the duty of any police officer of this town to order any person or persons so acting as to violate the provisions of this bylaw to cease any prohibited activities which are specified in this bylaw, and if the person or persons so ordered does not forthwith obey, the officer may issue a noncriminal citation with a fine of \$150 for the first violation and \$300 for each subsequent violation.
- (1) If the person or persons responsible for violation(s) of this bylaw cannot be determined, then the person in lawful custody and/or control of the premises where the violation(s) occurred, including but not limited to the owner, lessee, manager, or occupant of the property, may be deemed responsible for the violation(s).
  - (2) Any person or persons who commit, in the presence of a police officer, a violation of this article, which amounts to a breach of the peace or anticipatory breach of the peace, may be arrested without a warrant.
  - (3) Whoever violates any provision of this bylaw may be penalized by indictment or on complaint brought in the District Court. Except as may be otherwise provided by law and as the District Court may see fit to impose, the maximum penalty for each violation or offense shall be \$300.
  - (4) The Town may enforce this bylaw or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.
- F. Exemptions. The following uses and activities shall be exempt from the noise level regulations:
- (1) Any law enforcement motor vehicle equipped with any communication or signaling device necessary in the performance of law enforcement duties.
  - (2) Any fire apparatus, ambulance, rescue, or emergency response vehicle in performance of their public safety responsibilities.
  - (3) Any emergency vehicle equipped with any communication device necessary in the performance of any emergency procedures.
  - (4) Any highway maintenance, water department, or public utilities vehicle utilizing an amplified communications system in the performance of their responsibilities.
  - (5) Announcing systems at sanctioned sporting or other authorized public events.
  - (6) Noises of safety signals, warning devices and emergency pressure relief valves during public emergencies.
  - (7) Noises resulting from any authorized vehicle(s) responding to an emergency call or acting in time of emergency.
  - (8) Noises resulting from activities of a temporary duration permitted by law and/or for which a license or permit has been granted by the Town.
  - (9) Parades, music festivals, public gatherings, and events for which the Selectmen have issued a permit.
  - (10) Bells, chimes or carillons, or their amplified, recorded, or other electronic substitution while being used for religious purposes, in conjunction with religious services or to denote time intervals between the hours of 7:00 a.m. and 10:00 p.m.
  - (11) Snow removal from private parking lots, drives, roadways, and other vehicle- or pedestrian-traveled surfaces.

- (12) Noises for which the Board of Selectmen has granted a special permit.
- (13) Noise resulting from activities of any agricultural operation.
- G. Application for special permit.
  - (1) Application for a permit for relief from the noise level designated in this chapter on the basis of undue hardship may be made to the Board of Selectmen.
  - (2) Any permit granted by the Selectmen shall set forth all conditions pertaining to the specified noise and a reasonable time limit for its abatement.
  - (3) The holders of licenses to provide alcoholic beverages and/or entertainment shall comply with any noise allowances and/or restrictions imposed upon such licenses, and in the case of a conflict between individual license allowances or restrictions and this bylaw, the terms of the license shall apply, and a violation of any such allowances or restrictions shall also constitute a violation of this bylaw.
- H. Severability clause. If any part of this bylaw is deemed to be contrary to state or federal law by the Attorney General, that part can be severed without affecting any other part of this bylaw.

Harwich CIP  
 (Proposed Saquatucket Harbor Bonds issued on a Level Debt Basis)

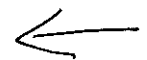




**Part I** ADMINISTRATION OF THE GOVERNMENT**Title VII** CITIES, TOWNS AND DISTRICTS**Chapter 40** POWERS AND DUTIES OF CITIES AND TOWNS**Section 8D** HISTORICAL COMMISSION; ESTABLISHMENT; POWERS AND DUTIES

Section 8D. A city or town which accepts this section may establish an historical commission, hereinafter called the commission, for the preservation, protection and development of the historical or archeological assets of such city or town. Such commission shall conduct researches for places of historic or archeological value, shall cooperate with the state archeologist in conducting such researches or other surveys, and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council or the selectmen and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historical or

archeological landmark. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of chapter nine, and shall apply for permits necessary pursuant to said section twenty-seven C. Any information received by a local historical commission with respect to the location of sites and specimens, as defined in section twenty-six B of chapter nine, shall not be a public record. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said



appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. Alternate members may be appointed in like manner as provided for in this section not exceeding in number the principal members. In the case of the absence or inability to act on the part of a principal member, the place of the principal member shall be taken by an alternate member designated by the chairman. When a commission is first established, the terms of the members and alternate members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members and alternate members will expire each year, and their successors shall be appointed for terms of three years each. Any member or alternate member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.

