

## **MINUTES OF MEETING OF THE BOARD OF SELECTMEN**

Date of Meeting: April 12, 2022  
Date of Transcription: April 29, 2022  
Transcribed by: Cassandra Slaney

### **1. CALL MEETING TO ORDER BY CHAIRMAN**

#### ***Remote meeting due to COVID 19***

### **2. ROLL CALL**

Selectmen Present: Judith Whiteside, Chairman  
Patrick G. Tropeano, Clerk  
James M. Munise  
Alan H. Slavin  
Peter W. Teitelbaum, Esq. (7:03 pm)

Also Present: Derek Sullivan, Town Administrator  
Rich Bowen, Town Counsel

### **3. PLEDGE OF ALLEGIANCE**

### **4. ANNOUNCEMENTS**

The OBA has a full schedule of events for the Spring, Summer and Fall. The Fourth of July fireworks have been cancelled.

The Fire District and Water District had their meeting. There were nineteen articles and all of the articles were passed.

On Thursday, April 14<sup>th</sup> at 7:00 p.m., Emily Innis of Innis Associates, Ltd will be hosting the first public meeting on the Urban Renewal Plan for Wareham Village. The meeting will take place at the Wareham Town Hall auditorium.

The Wareham Free Library will be holding its first annual Peep Diorama contest from April 19<sup>th</sup> through the 23<sup>rd</sup>. Create a unique and original diorama using marshmallow peeps. Bring the diorama to the library from April 11<sup>th</sup> through the 16<sup>th</sup> for display. Judging will take place April 19<sup>th</sup>-23<sup>rd</sup> and the winner will be announced soon after that.

### **5. BOARD'S COMMENTS**

There are three applicants for the Bike Path Committee. Five members are needed and applications are currently being accepted.

### **6. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS**

### **7. LICENSES AND PERMITS**

- a. **Application from Wareham Little League, C/O Quirino doCanto, PO Box 614 Wareham, MA for use of town roads for Annual Opening Day**

SELECTMEN MEETING MINUTES-4/12/2022 (CONT'D)

**Little League Parade on Saturday April 30, 2022 (rain date May 1, 2022).**

Present before the Board: Quirino doCanto

**MOTION:** Selectman Tropeano moved to approve the application from Wareham Little League, c/o Quirino doCanto, PO Box 614, Wareham, MA., for use of Town roads for the Annual Opening Day Little League Parade on Saturday, April 30, 2022 (rain date May 1, 2022). Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**8. TOWN BUSINESS**

**a. Ratify hiring of Jimmie Borges-Heavy Equipment Operator-Municipal Maintenance and Cesar Figueroa-laborer-WPCF.**

**MOTION:** Selectman Tropeano moved to ratify the hiring of Jimmie Borges-Heavy Equipment Operator for Municipal Maintenance and Cesar Figueroa-Laborer for WPCF. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**b. Request from Oniset Wigwam to place signs on Town Property.**

**MOTION:** Selectman Tropeano moved to approve the request from Oniset Wigwam to place signs on Town property. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**c. Discussion and possible vote to approve the opt-out and reduction fee applications-curbside billing FY22 in the amount of \$1,397.50.**

**MOTION:** Selectman Tropeano moved to approve the opt-out and reduction fee applications-curbside billing FY22 in the amount of \$1,397.50. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**d. Discussion and possible vote to select Master Developer for redevelopment of the Tremont Nail Factory.**

Present before the Board: Ken Buckland, Director of Planning; Jason Pannone, Principal of Bentley Companies; Don Huggins, Development Consultant of Bentley Companies  
Mr. Buckland is seeking approval from the Board to select Bentley Companies as the Master Developer for the redevelopment of Tremont Nail Factory.  
(See attached)

**MOTION:** Selectman Tropeano moved to select Bentley Companies as the Master Developer for the redevelopment of the Tremont Nail Factory. Selectman Slavin seconded.  
Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**e. Discussion and possible vote to authorize the Redevelopment Authority to negotiate a Disposition and Development Agreement with the selected Master Developer.**

**MOTION:** Selectman Tropeano moved to authorize the Redevelopment Authority to negotiate a Disposition and Development Agreement with Bentley Builders, LLC. Selectman

SELECTMEN MEETING MINUTES-4/12/2022 (CONT'D)

Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

- f. **Presentation from lead petitioner-Article 19: Large Scale Photovoltaic Installation Moratorium.**  
**(Presented by Annie Hayes)**

Ms. Hayes presented an explanation of Article 19: Large Scale Photovoltaic Installation Moratorium. *(See attachment)*

- g. **Presentation from lead petitioner on the following articles**  
**Article 23: Decas Steering Committee**  
**Article 24: Decas Steering Committee Report.**

Present before the Board: Leslie Edwards Davis, Lead Petitioner

Ms. Davis provided the explanation of the above mentioned articles for the annual Town Meeting. *(See attachment)*

- h. **Presentation from lead petitioner on the following articles:**  
**Article 20: Bylaw Amendment**  
**Article 22: Eliminate the Warrant Article Lottery Process**  
**Article 25: Town Clerk Elected**  
**Article 26: Local Initiative**  
**(Presented by Brenda Eckstrom)**

Ms. Eckstrom explained the above mentioned articles.

- i. **Discussion and possible vote concerning the sale of Cannabis.**

Discussion ensued regarding the potential upcoming changes in the laws and regulations concerning the sale of cannabis. Also discussed was interest in marijuana cafes if it is approved in the future.

- j. **Continued discussion and possible vote regarding potential CR holders for Little Harbor Country Club.**

Selectman Whiteside explained that a meeting was held on Friday, April 8<sup>th</sup> to rescind the RFP for the MOU for a CR holder. The reason for rescission was the Board was informed there is a different procedure.

- k. **Discussion and vote to authorize the Town Administrator to sign the Purchase and Sale agreement of Little Harbor Country Club, on behalf of the Town of Wareham, under Wareham Home Rule Charter section 4-2k.**

**MOTION:** Selectman Tropeano moved to authorize the Town Administrator to sign the Purchase and Sale agreement of Little Harbor Country Club, on behalf of the Town of Wareham, under Wareham Home Rule Charter section 4-2k. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

- l. **Discussion and possible vote to recommend approval on articles for the 2022 Annual Spring Town Meeting Warrant.**

**MOTION:** Selectman Teitelbaum moved to recommend article 13-The 801 Village for the 2022 Annual Spring Town Meeting Warrant. Selectman Munise seconded. Roll Call: Selectman Slavin-no, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-no.

**VOTE: 2-2-0 (Selectman Slavin and Selectman Whiteside opposed)**

*Selectman Tropeano was not present for the vote.*

SELECTMEN MEETING MINUTES-4/12/2022 (CONT'D)

**MOTION:** Selectman Munise moved to recommend article 18-Special Legislation/Funding for the Wareham Affordable Housing Trust for the 2022 Annual Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Tropeano-no, Selectman Whiteside-no.

**VOTE: 2-3-0 (Selectman Teitelbaum, Selectman Whiteside,  
Selectman Tropeano opposed)**

**MOTION:** Selectman Munise moved to recommend article 19-Large Scale Photovoltaic Installation Moratorium for the 2022 Annual Spring Town Meeting Warrant. Selectman Munise seconded. Roll Call: Selectman Slavin-no, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Tropeano-no, Selectman Whiteside-no.

**VOTE: 1-4-0 (Selectman Slavin, Selectman Tropeano,  
Selectman Teitelbaum, Selectman Whiteside opposed)**

**MOTION:** Selectman Tropeano moved to recommend article 20-Bylaw Amendment for the 2022 Annual Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-no, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Tropeano-no, Selectman Whiteside-no.

**VOTE: 1-4-0 (Selectman Slavin, Selectman Teitelbaum,  
Selectman Tropeano, Selectman Whiteside opposed)**

**MOTION:** Selectman Munise moved to recommend article 22-Eliminate the warrant Article Lottery Process for the 2022 Annual Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-no, Selectman Munise-present, Selectman Teitelbaum-no, Selectman Tropeano-abstained, Selectman Whiteside-no.

**VOTE: 0-3-1-1 (Selectman Slavin, Selectman Teitelbaum, Selectman Whiteside  
opposed, Selectman Tropeano abstained, Selectman Munise present)**

**MOTION:** Selectman Munise moved to recommend article 23-Decas Steering Committee for the 2022 Annual Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-no, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Tropeano-no, Selectman Whiteside-no.

**VOTE: 1-4-0 (Selectman Slavin, Selectman Teitelbaum,  
Selectman Tropeano, Selectman Whiteside opposed)**

**MOTION:** Selectman Tropeano moved to pass over article 24-Decas Steering Committee Report for the 2022 Annual Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Munise moved to recommend article 26-Local Initiative for the 2022 Annual Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-no, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Tropeano-no, Selectman Whiteside-no.

**VOTE: 1-4-0 (Selectman Slavin, Selectman Teitelbaum,  
Selectman Tropeano, Selectman Whiteside opposed)**

*NOTE: The Lead Petitioners for Article 21-Indigenous Peoples Day and Article 25-Town Clerk Elected requested that the articles be passed over by the Town Moderator at Town Meeting.*

**MOTION:** Selectman Slavin moved to continue the meeting beyond 10:00 p.m. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-no, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

SELECTMEN MEETING MINUTES-4/12/2022 (CONT'D)

**VOTE: 4-1-0 (Selectman Munise opposed)**

*NOTE: Selectman Tropeano exited the meeting.*

**m. Discussion and possible vote to recommend approval on articles for the 2022 Special Spring Town Meeting warrant within the 2022 Annual Spring Town Meeting.**

**MOTION:** Selectman Teitelbaum moved to recommend article S1-Budget Transfers for the 2022 Special Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Slavin moved to recommend article S3-Spring 2022 Capital for the 2022 Special Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Teitelbaum moved to recommend article S6-Return Unused Funds From Completed Project for the 2022 Special Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Munise moved to recommend article S7-Beach Mobility Access Mats for the 2022 Special Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Slavin moved to recommend article S8-Tremont Nail Remediation Project for the 2022 Special Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Slavin moved to recommend article S9-Harbor Services Permit Receipts Reserved for Appropriations Account for the 2022 Special Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-present, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 3-0-0-1 (Selectman Munise present)**

**MOTION:** Selectman Slavin moved to recommend article S10-Harbor Services Permit Receipts Reserved for Appropriations Account for the 2022 Special Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-present, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 3-0-0-1 (Selectman Munise present)**

**MOTION:** Selectman Slavin moved to recommend article S12-WHDC Modify Quorum Requirement for the 2022 Special Spring Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

SELECTMEN MEETING MINUTES-4/12/2022 (CONT'D)

**MOTION:** Selectman Munise moved to recommend article S13-WHC Modify Quorum Requirement (Bylaw) for the 2022 Special Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Teitelbaum moved to recommend article S14-Length of Lease Term For Developer of Tremont Nail Factory for the 2022 Special Spring Town Meeting Warrant. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectman Slavin moved to recommend article S15-Zoning Bylaw Amendments: Article 5 Section 590 Solar Energy Generation Facilities, Article 3 Section 320 Use Table, and Article 16 Definitions for the 2022 Special Spring Town Meeting Warrant. Selectman Munise seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-no, Selectman Whiteside-yes.

**VOTE: 3-1-0 (Selectman Teitelbaum opposed)**

- n. **Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.**

Selectman Whiteside stated there have been complaints regarding the placement of campaign signs in Town. She suggested appointing Selectman Teitelbaum as sign czar to take care of any signs placed improperly.

**MOTION:** Selectman Slavin moved to authorize Selectman Teitelbaum as sign czar. Selectman Whiteside seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-abstained, Selectman Whiteside-yes.

**VOTE: 3-0-1 (Selectman Teitelbaum abstained)**

**9. TOWN ADMINISTRATOR'S REPORT**

Mr. Sullivan stated that the annual street sweeping in Onset has started and asked residents to not blow debris into the streets.

**10. LIAISON/INITIATIVE REPORTS**

Nothing to report.

**13. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes:
- c. **Approval of executive session minutes of the Board of Selectmen and School Committee dated November 10, 2021.**

**MOTION:** Selectman Slavin moved to approve and hold the executive session meeting minutes of the Board of Selectmen and School Committee dated November 10, 2021. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

**13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

**14. ADJOURNMENT**

SELECTMEN MEETING MINUTES-4/12/2022 (CONT'D)

**MOTION:** Selectman Slavin moved to adjourn at 10:06 pm. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 4-0-0 (Unanimous)**

Respectfully submitted  
**Cassandra Slaney**  
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen on:

Attest:

  
**Patrick G. Tropeano, Clerk**

Date Signed:

5-4-22

**DOCUMENTS REVIEWED AND/OR USED IN MEETING.**

1. Application from Wareham Little League for parade
2. Ratify new hires.
3. Oniset Wigwam sign request application.
4. Curbside billing FY22.
5. Bentley Companies Tremont Nail proposal.
6. Article presentations.
7. 2022 Annual Spring Town Meeting votes.
8. 2022 Special Spring Town Meeting votes.
9. Executive session meeting minutes for November 10, 2021 with School Committee.

Date sent to Town Clerk:

5-10-22

Attachment to 4-12-22  
meeting minutes



**BENTLEY**  
COMPANIES

20 Centerville Road, Suite 2  
Warwick, Rhode Island 02886

Contact:

Jason Pannone | 401-578-6063

[www.bentleycompanies.com](http://www.bentleycompanies.com)

## WAREHAM REDEVELOPMENT AUTHORITY

### REQUEST FOR PROPOSALS

Real Estate Development Services  
**TREMONT NAIL FACTORY**

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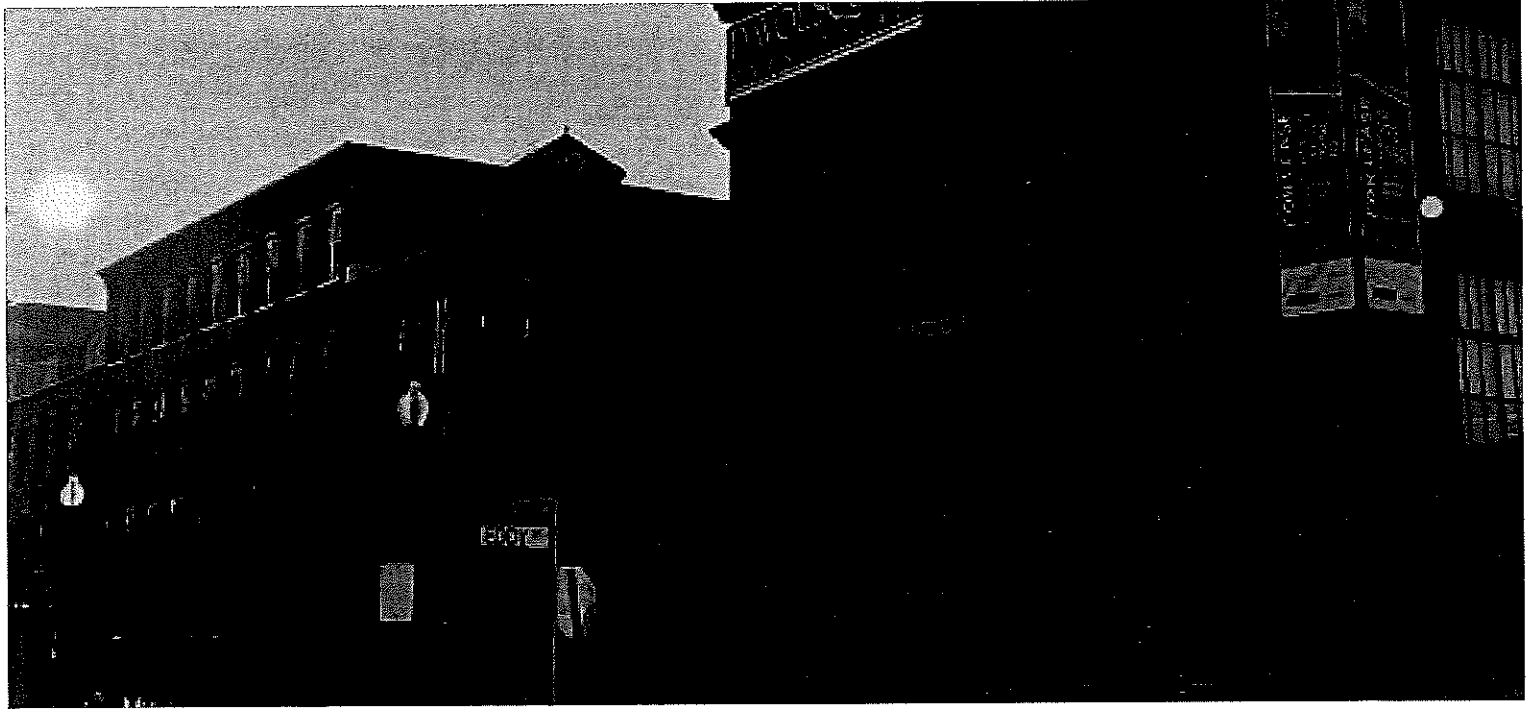
DEREK SULLIVAN, TOWN ADMINISTRATOR

Town Hall

54 Marion Road

Wareham, MA 02571

MARCH 24, 2022





DEREK SULLIVAN  
Town Administrator  
Town Hall  
54 Marion Road  
Wareham, MA 02571

March 24, 2022

RE: Response to Request for Proposals

Dear Mr. Sullivan

We are pleased to re-submit our response to the RFP for the Tremont Nail Factory development.

We are excited about the opportunity the project presents as it is the gateway to the Redevelopment efforts throughout the entire Town. The Town of Wareham has made an incredible effort to continue the process to pinpoint town locations for redevelopment and the retransformation of the town. In our vast experience in the real estate development and construction sectors we are excited to utilize our expertise in turning the towns vision into reality.

As we continue to add to our ever-growing team, we are hopeful to have the opportunity to assist the town in the redevelopment efforts of the Tremont Nail Factory land.

Regards,

Bentley Companies  
Jason Pannone  
401-578-6063

COVER LETTER

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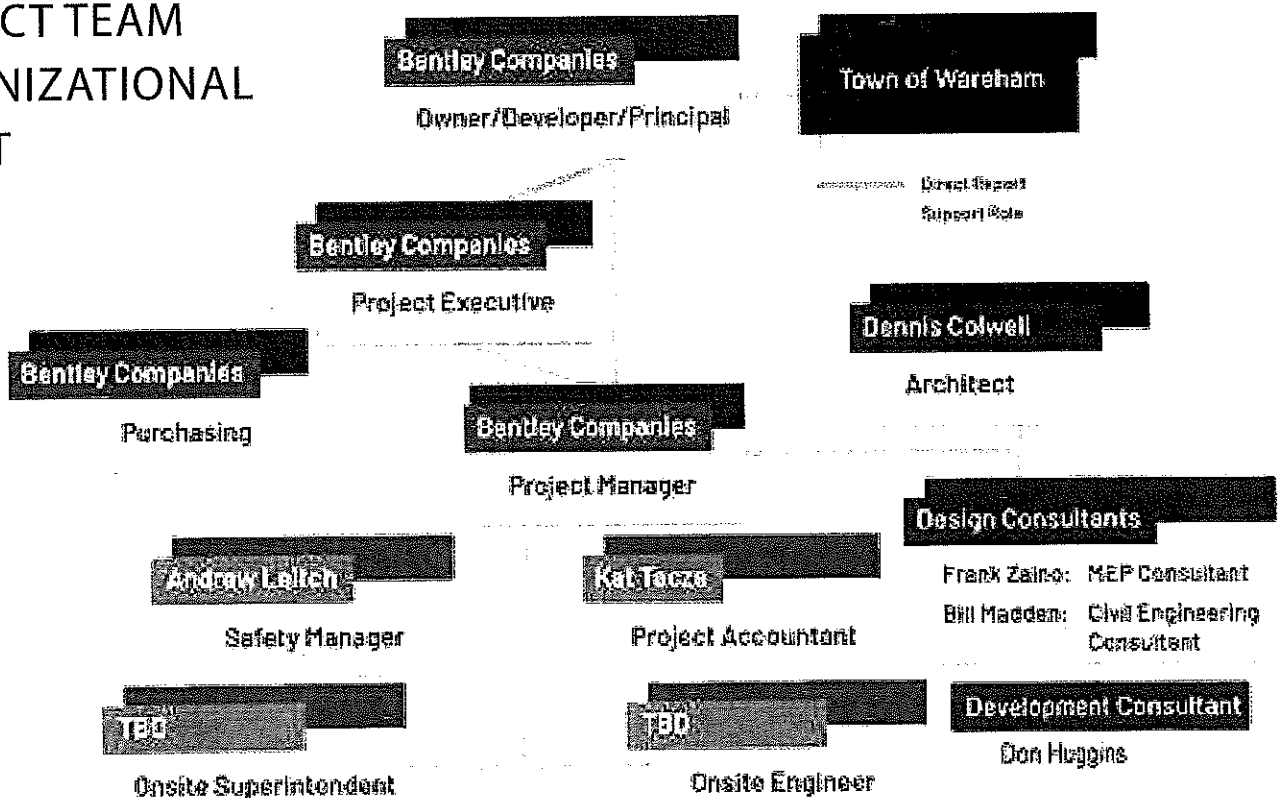
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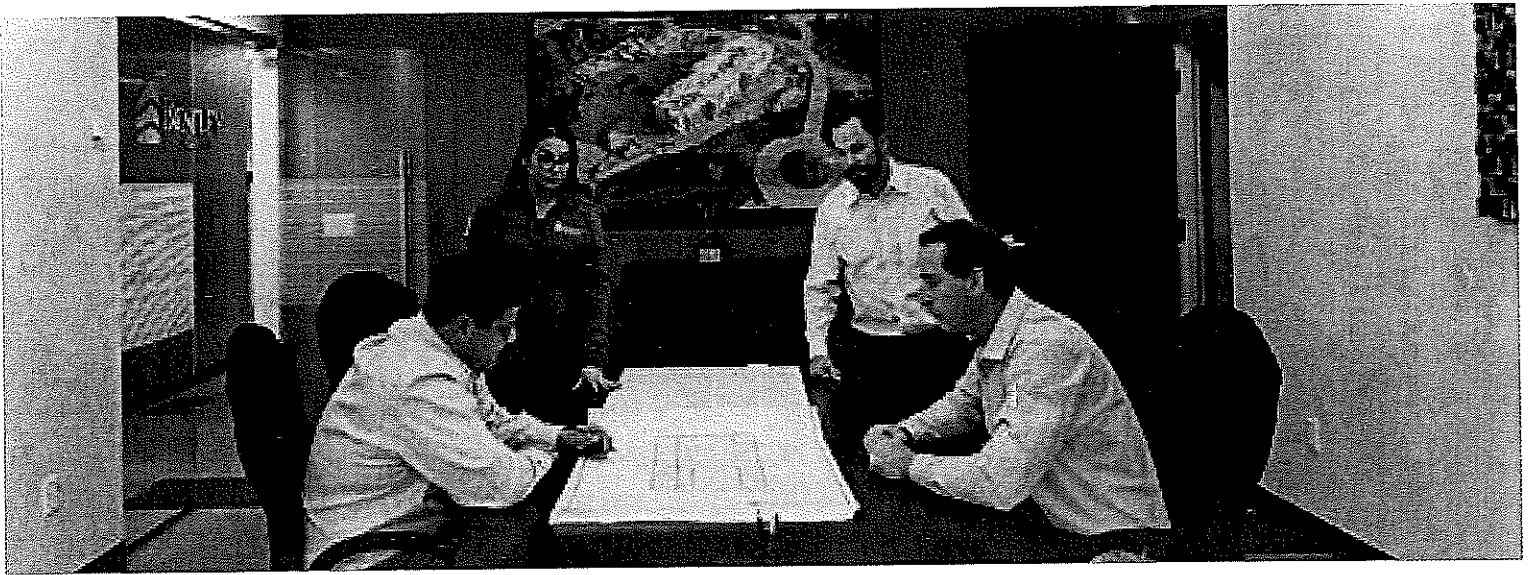
# QUALIFICATIONS

Our Mission is to effectively execute a team approach in serving our clients, partners and projects as well as by providing the highest level of expertise throughout completion and management of each project.

"It is not the beauty of the building you should look at; its the construction of the foundation that will stand the test of time."

## PROJECT TEAM ORGANIZATIONAL CHART





## BENTLEY COMPANIES

BUILDING A LEGACY OF PARTNERSHIPS, ONE PROJECT AT A TIME

Our organization has been built by setting Goals to strive for exceeding the needs of our clients and partners to bring our projects from entitlement to pre-construction phase all the way through construction and into the management of each project once Certificate of Occupancy has been obtained.

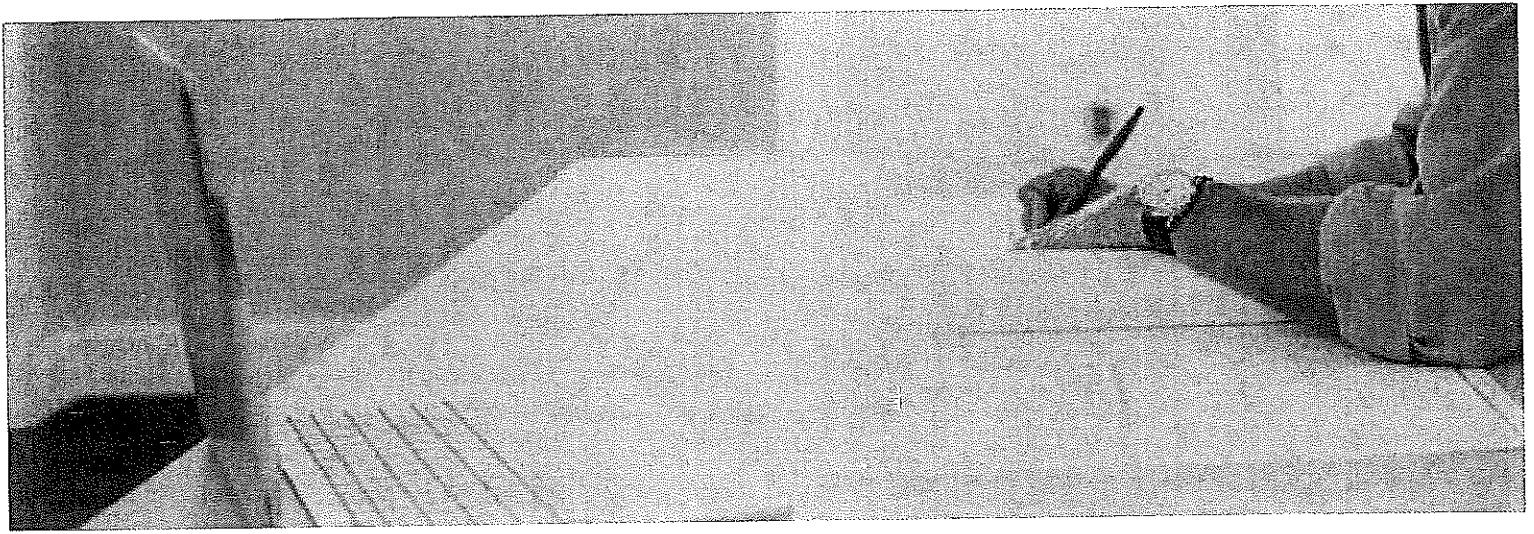
Led by our founding principals, the core group continues to expand with key team members and senior level management that have over 200 years of combined construction and development expertise. Our firm Specializes in multiple project delivery methods including Design Build, Construction Management, Lump Sum General Contracting, Estimating Services, and Development. We offer full service construction solutions with innovative thought processes which set ourselves apart from our competition through extensive senior management involvement and handpicked staffing to suit each project specific needs.

We are a Construction Management and Real Estate Development Firm that works as a unified Team member with our clients, partners, and design team in order to reach an agreed occupancy date and budget for the project that exceeds goals.

Since inception our company's corporate offices have been located in Rhode Island. And with our focused growth, we have opened regional offices in neighboring markets – Connecticut and Massachusetts that have allowed us to better serve our projects, clients, and partnerships.

### BENTLEY IS EXPERIENCED IN FEDERAL, STATE, MUNICIPAL AND PRIVATE SECTORS:

- Tenant Fit-Out
- Education
- Healthcare
- Athletic facilities
- Hospitality & Entertainment
- Multi-Unit Housing Developments
- Retail
- Institutional & Government Facilities
- Industrial & Manufacturing Facilities
- Mixed-Use Developments



## DESIGN TEAM



# DENNIS COLWELL ARCHITECTS

Dennis Colwell Architects (DCA) is a Massachusetts based firm that was established in 2010. DCA is nationally certified to practice architecture by NCARB, and is currently registered in AZ, CT, DC, FL, GA, IL, IN, MA, MD, ME, MI, MN, NC, NH, NJ, NY, OK, OH, PA, RI, TN, TX, VA, VT, and WV. We service both commercial and residential clients with our work focusing on restaurants, retail, offices, education, hospitality, and housing.

DCA also provides interior design services for both residential and commercial projects.

In 2020, we completed over 200 projects, while meeting deadlines, balancing budgets, and exceeding the clients' expectations.

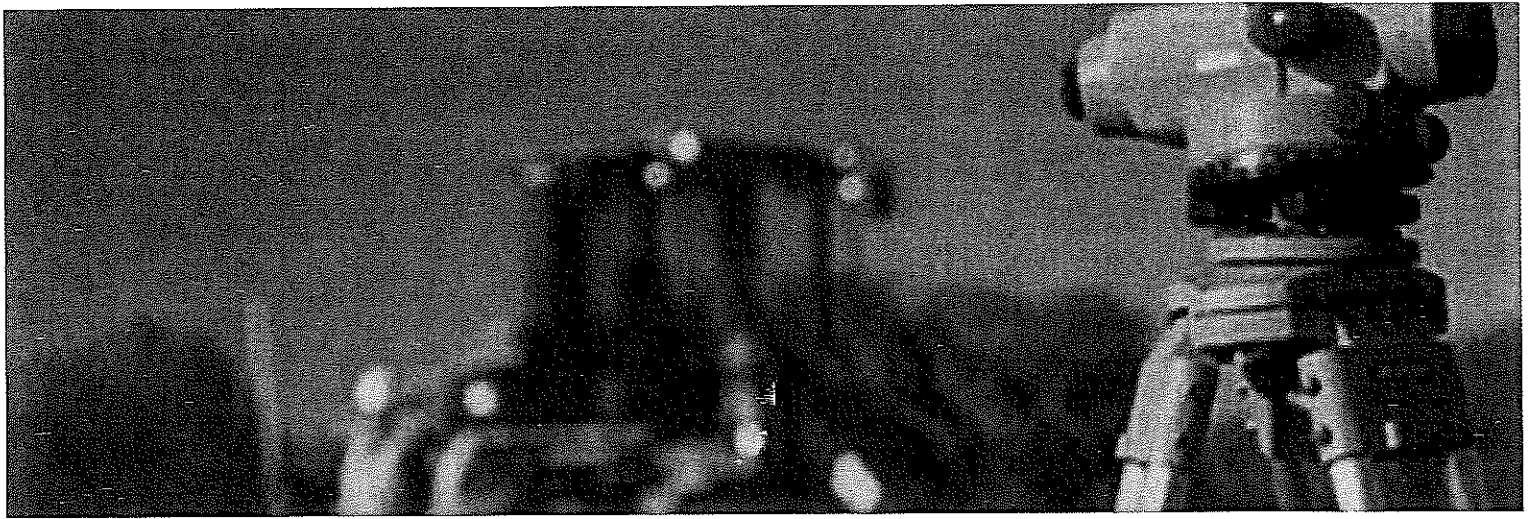
True design should be sustainable, adaptable, and sensitive to its surroundings. These principles are the foundation for our design work and are how we measure a project's success.

Our goal as an architectural firm is to service our clients and be an advocate for them throughout the entire process. Our job is not complete until construction is finished and the building is occupied.

## BENEFITS

We have experience and vision to maximize clients' construction dollar and streamline the entire design and construction process.

- Our dedicated and detail-oriented staff is always available to meet and exceed expectations.
- On each project, clients work with principal Dennis Colwell, and (2) project managers.
- We have the ability to produce accurate design documents within fast-paced construction timelines.
- We're always mindful of the client's budget, and work to manage the design process accordingly.
- On all projects, we take a creative approach to collaborative design.
- DCA will act as an advocate during design and construction, protecting the client's interests.



## DESIGN TEAM

### G.A.F. ENGINEERING, INC

Since its founding in 1983, G.A.F. Engineering, Inc. has been involved in Civil Engineering and Land Surveying throughout Southeastern Massachusetts and Cape Cod. During this period, G.A.F. has provided timely and quality engineering and surveying services for over 8,000 separate projects of varying magnitude. Our expert staff has served our clients' needs for a multitude of land development projects ranging from expansive residential and commercial subdivisions to the site design of single-family dwellings.



G.A.F. Engineering's goal is to provide timely high-quality services to our clients and to do this more efficiently and economically than our competitors. By satisfying our client's needs, we build long outstanding relationships where they want to do business with us again and recommend our services to others. G.A.F. Engineering demonstrates this by having multiple clients that have been doing business with us for over 20 years. We are proud to treat our clients as partners. Our engineering staff is composed of professional engineers and support staff who realize the complex issues surrounding today's civil engineering problems. The regulatory, economic and administrative issues of any project are issues that G.A.F. truly understands. Our organization is prepared to assist our clients with all aspects of a project, from a conceptual design through construction and start-up. Clients' benefit from a working relationship built on trust, dependability and knowledge of your specific needs.

Our full range of engineering services insures that all issues are expertly handled under one roof and provides the opportunity to deliver cost-effective professionally managed services. Our vision is to be the region's leading engineering firms through a strong focus on clients' changing needs by our highly qualified and trained staff.

#### SERVICES:

- Coastal Engineering
- Environmental Engineering
- Municipal Engineering
- Land Surveying
- Environmental Permitting



# EXECUTIVE MANAGEMENT TEAM

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Paul Tierney, Jason Pannone and Adam Bernier have held various positions in construction and real estate throughout their collective 75+ years in the industry. When Bentley was founded in 2014, our only goal was to build and invest in a core group that would organically grow and serve our clients and industry partners. The balance between business development, business operations and successful execution in the field has been the hallmark of the Bentley brand.



**JASON PANNONE**  
Principal

Mr. Pannone has worked in the real estate and construction industries for over 20 years. He manages the day-to-day operations. Mr. Pannone also leads all efforts on the development arm of the company and ensures the overall strategic vision and goals of the company are achieved.



**ADAM BERNIER**  
Vice-President of Construction, Principal

Mr. Bernier brings over 20 years of construction industry experience to the Bentley Builders team. He manages and expedites schedules daily to ensure construction is completed and that it meets quality standards in a timely and cost-effective basis.



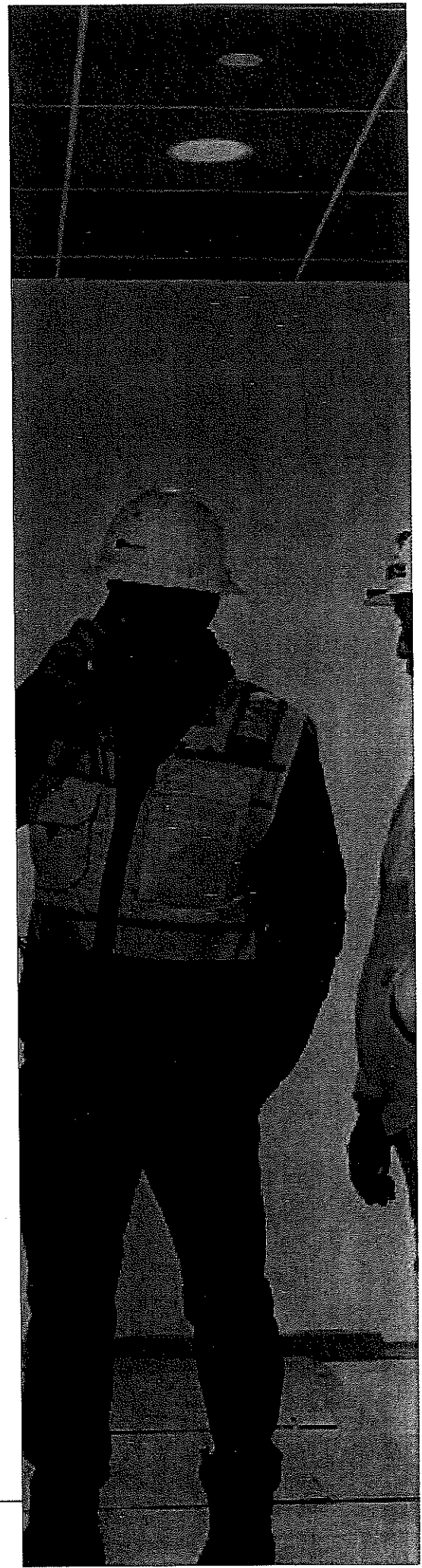
**DAVE LANNEVILLE**  
Director of Finance

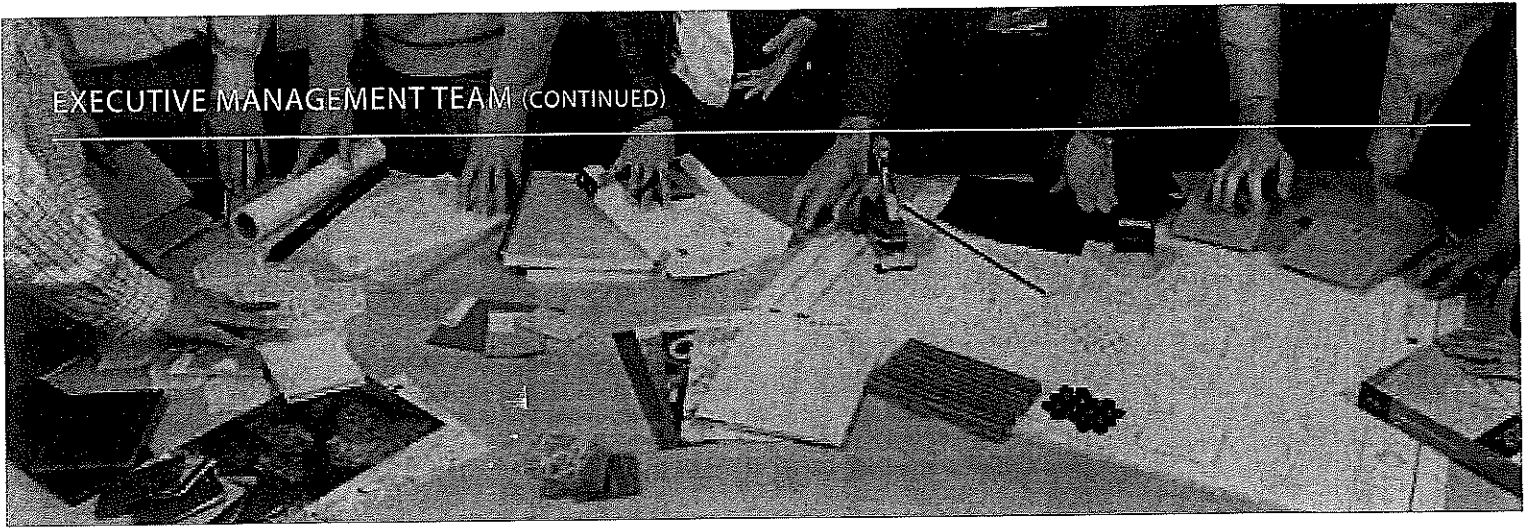
Mr. Lanneville provides direction and leadership for Bentley's finance group. Dave has extensive expertise having worked at several premier construction management firms.



**KAT TECZA**  
Controller/Asset Manager

Ms. Tecza handles the day-to-day accounting and facility organizational needs for all construction and portfolio properties. With over 15 years of experience and expertise handling multiple entities, including developments and all aspects of the businesses, Kat continues to provide exceptional service to our clients and projects.





At Dennis Colwell Architects, our team responds to the needs of our clients with thoughtful and individual designs to create unique and inspired architecture.

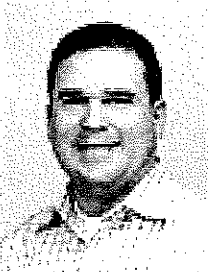


DENNIS COLWELL, JR. RA, NCARB  
Principal

Dennis is the Principal and Lead Design Architect of the firm. His duties include supervision and design of projects with the assistance of his highly skilled team. He is also responsible for the creation and retention of client relationships and business development.

Outside of the office, Dennis works in the field to ensure conformance to building codes and adherence to the plans in order to protect client interests.

Dennis brings over 13 years of industry experience in the field of architecture which results in an innovative design process. His design focuses are hospitality, retail, restaurants, corporate offices, banking, housing and education. Dennis is NCARB Certified nationally and carries active registration in multiple states. He is always eager to assist clients with their unique needs and takes pride in balancing the design goals, budgets and restraints to create the best possible product.

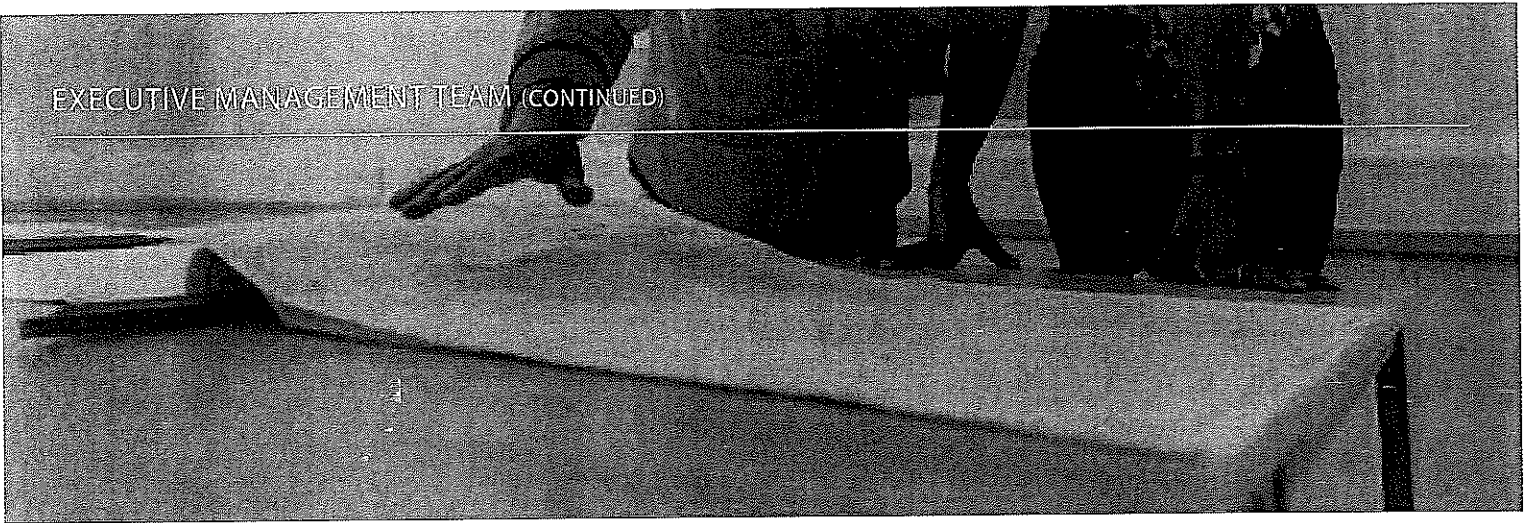


JAMIE HUGHES, RA, LEED® AP  
PROJECT ARCHITECT

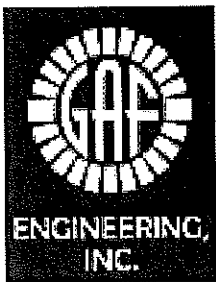
Jamie is a Project Architect at Dennis Colwell Architects. He directly oversees the development and production of a project. Jamie graduated from Roger Williams University with a Bachelor of Architecture, and has been a registered architect since 2003.

Jamie's focuses include corporate offices, banking, retail, hospitality, education, and housing. As a LEED Accredited Professional, Jamie oversees the integration of sustainable design practices and energy conservation into the design process. He also acts as a code consultant resource to the firm.





Our vision at G.A.F. Engineering is to be the region's leading engineering firm through a strong focus on clients' changing needs by our highly qualified and trained staff.



**WILLIAM F. MADDEN, PE**

Owner, Principal Civil Engineer

Mr. Madden possessed forty-three years of experience as a practicing engineer in both the private sector and public sector. In the areas of Civil Engineering and Consulting, Mr. Madden's firm has provided technical expertise in the design of a variety of projects requiring Civil Engineering and Land Surveying services. William is a Registered Professional Engineer by written examination and holds valid licenses in Massachusetts and Rhode Island.

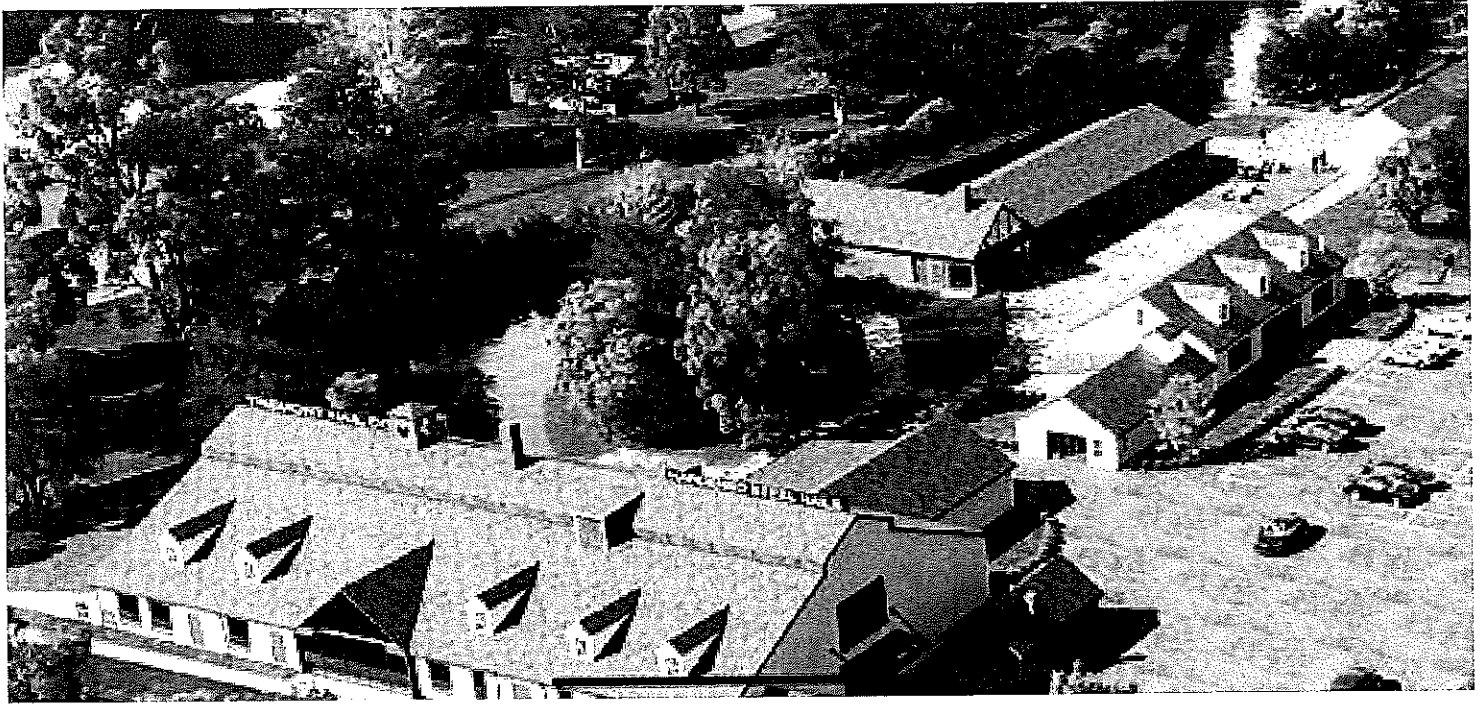
In the areas of Civil Engineering and Environmental Permitting, Mr. Madden is the responsible person in charge of projects undertaken by the firm. He oversees and directs the engineering, design, and construction supervision of site development projects. These site development projects undertaken by the firm range from individual lot development for the homeowner to complex industrial facilities. These facilities normally require the design of roadways, storm water management systems, sanitary sewage collection facilities, water supply systems, as well as wastewater treatment systems. Mr. Madden also oversees the design of coastal engineering structures including piers, seawalls, groins, revetments, and bulkheads. The environmental permitting process at the federal, state, and local level is also completed under his direction.



02

# PROPOSED MASTER PLAN APPROACH

# APPROACH & VISION



## OUR APPROACH

rendering courtesy of Dennis Colwell Architects

We recognize the role and the development opportunity the Tremont Nail Facility parcel plays in the revitalization for the town of Wareham and it's community.

Our intent as the developer is to continue to listen to the community and reposition a non-performing asset for the town that keeps within the historic intent and characteristics while adding housing and commerce opportunities. Our skilled project team and design partners are proposing to bring in local vendors to help boost retail in the area, as well as provide a gathering point for residents, both local and transient, to come and experience all that Wareham has to offer.

## OUR VISION

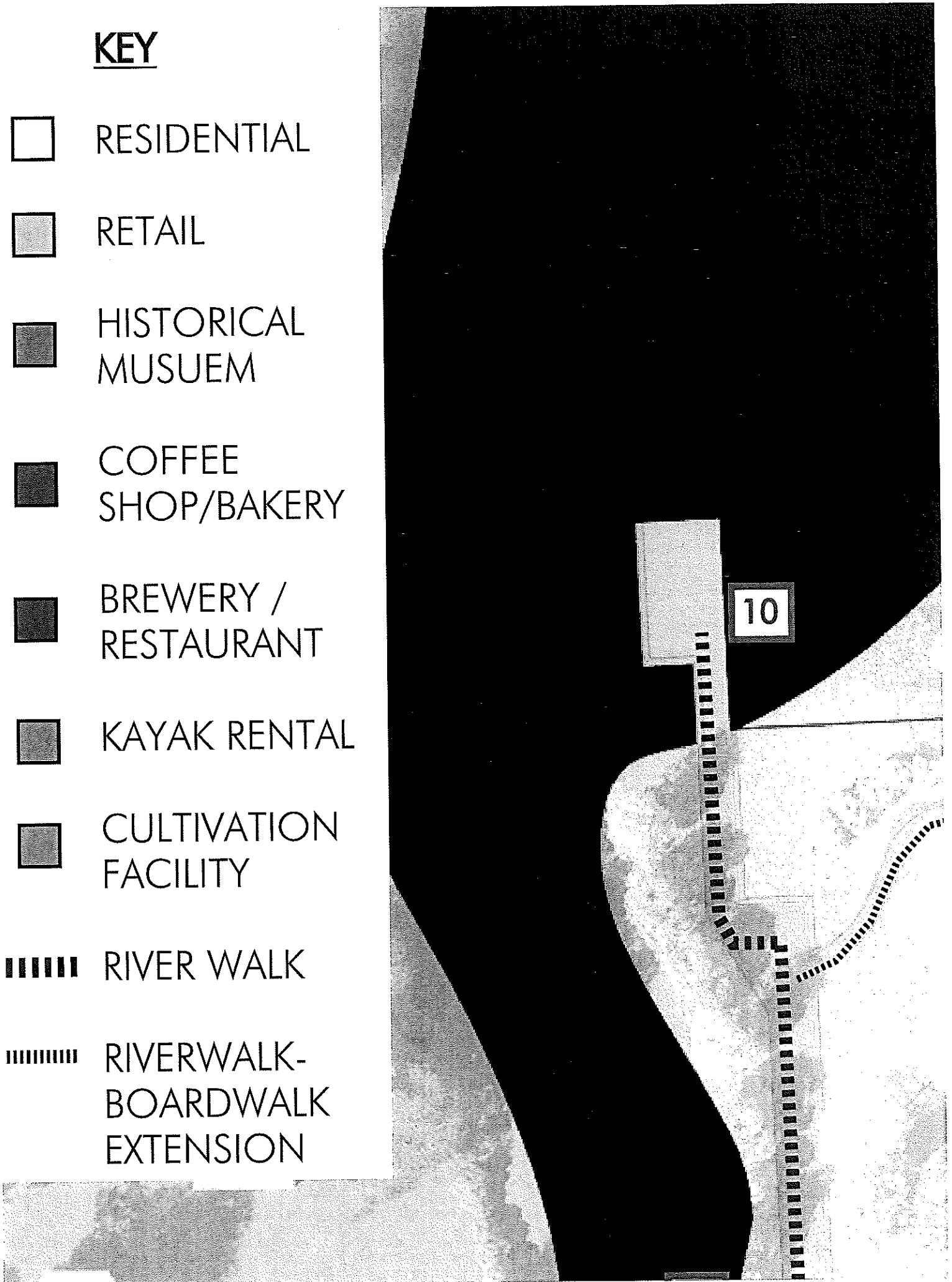
With our teams' vast planning, design, and construction experience, we have experienced first-hand how to reinvigorate sectors and re-purpose developments that can help the economy thrive.

We envision and propose the addition of a local brewery, refurbishing the existing old Tremont Nail Facility building to have open storefront glass along Elm St., encouraging local artisans to manufacture, display and sell their goods with optimal visibility as well as the addition of professional office space. In addition, the creation of green space in the wooded area on the south of the lot, will serve as an event venue with additional trails leading to the waterfront for both patrons and the community to enjoy. Staying true to New England architecture, dormers as well as large storefront windows have been added to bring natural light into the new spaces. These lines stay consistent on the buildings and carry through on the Tremont nail factory as well as the brewery buildings. Around the perimeter is a hiking trail which winds through the natural landscape and concludes at the dock which protrudes out into the river where people can fish or launch kayaks to continue their exploration further down river.

Also complementing the re-development, our intention is to tackle the housing needs within Wareham with the addition of a new structure to house 50+ apartments to accommodate current Wareham residents. Additionally, this will attract new residents from surrounding areas or transient residents from major cities within 60 miles.

## KEY

-  RESIDENTIAL
-  RETAIL
-  HISTORICAL  
MUSUEM
-  COFFEE  
SHOP/BAKERY
-  BREWERY /  
RESTAURANT
-  KAYAK RENTAL
-  CULTIVATION  
FACILITY
-  RIVER WALK
-  RIVERWALK-  
BOARDWALK  
EXTENSION



## PROPOSED MILESTONE SCHEDULE

This development is a collaborative approach that will be expanded upon in the next phase of this partnership. Bentley has identified the following milestones outlined below. At each phase, we will work with the town to expand on schedule and provide deliverables as needed.

TASK/ACTIVITY	TARGET DATE
RFP Submission	3/24/22
Developer Selection	
Conceptual Planning Approval	
Town & State Approvals	
Construction Phase	
Leasing Phase	
Certificates of Occupancy – by location	

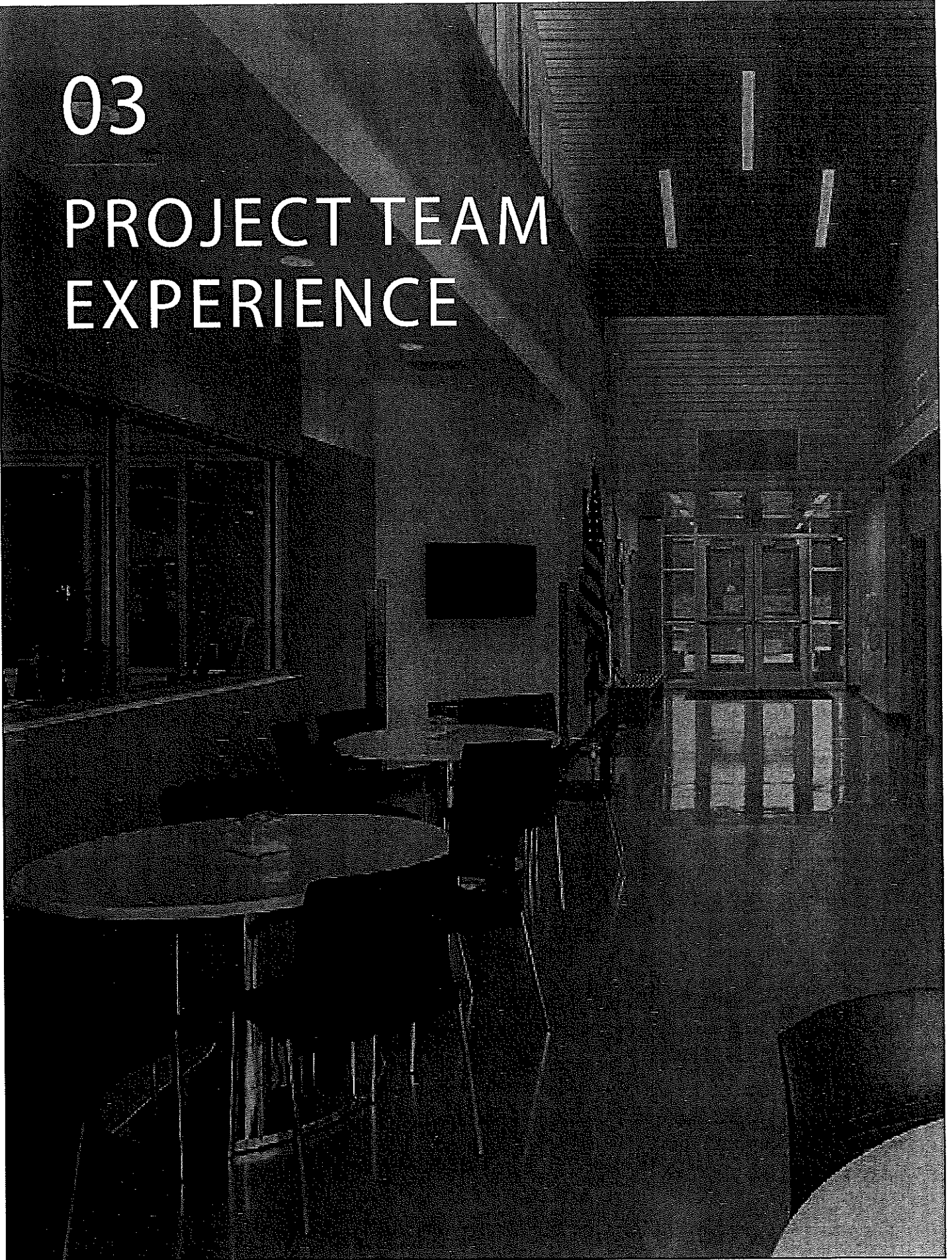
NOTE:

All dates are preliminary and subject to change based on input from project team



03

# PROJECT TEAM EXPERIENCE



# PROJECT TEAM EXPERIENCE OVERVIEW

With over 200 years of combined construction and design expertise, our companies continue to expand. Our firms specialize in multiple project delivery methods including Design Build, 3-D Modeling, Structure Analysis, Construction Management, Lump Sum General Contracting, Estimating Services, and Development. We offer full service construction solutions with innovative thought processes, which set ourselves apart from our competition through extensive senior management involvement and handpicked staffing to suit each project specific needs.

## SERVICES PROVIDED

- OPM
- Construction management
- Estimating Services
- General Contractor
- Development Services
- 3D Modeling
- Design Build
- Luxury Home Division
- Structure Analysis

## REGIONAL WORK

- Arizona
- Connecticut
- Florida
- Georgia
- Illinois
- Indiana
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- New Hampshire
- New Jersey
- New York
- North Carolina
- Oklahoma
- Ohio
- Pennsylvania
- Rhode Island
- South Carolina
- Tennessee
- Texas
- Virginia
- Vermont
- Washington DC
- West Virginia

## CERTIFICATIONS

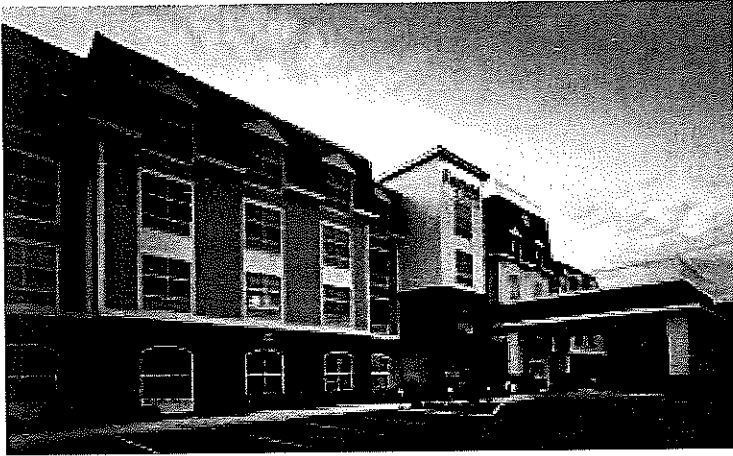
- OSHA 30
- US Army Corps of Engineers
- First Aid & CPR
- EM 385-1.1
- CT DAS Certified
- MA DCAM Certified

## LICENSES

- Boston Builders License
- Class A, B & C
- State of RI CR-35 Historical Building
- MA CSL
- AMTRAK
- Quincy Builders License
- SC & FL Unrestricted
- Building Licenses

# RELEVANT PROJECT EXPERIENCE

BENTLEY  
COMPANIES



## FAIRFIELD INN & SUITES BY MARIOTT South Kingstown, RI

This new development consists of a 68,000 square foot, 110 room Fairfield Inn & Suites Hotel as well as additional retail buildings and restaurant/bank pad sites. Bldg #3 which was recently completed along with the Hotel, consists of 7,000 sq ft retail space, anchored by Starbucks Coffee

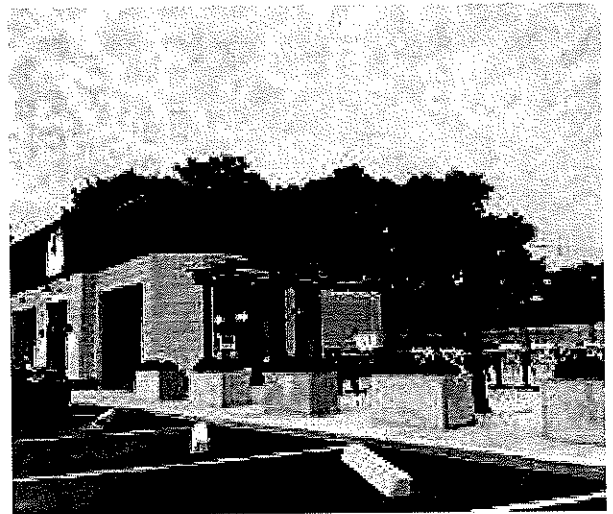
Project Reference: Dennis DiPrete, 401-943-1000

## HUCKS FILLING STATION

Warwick, RI

Renovation of existing 1000ft<sup>2</sup> service station to create a charming full service restaurant and bar. With Operable overhead doors paying homage to its service station roots, this small restaurant opens up to a large patio with outdoor seating with gas fed fire pits providing additional seating as well as adding to the ambiance of historic Post Road. The building was designed to accommodate future expansion to the roof for views of East Greenwich Bay.

Project Reference: Jeffrey Quinlan, 401-573-5452



## PIER MARKET PLACE

Narragansett, RI

Renovations and redevelopment to village type development to accommodate retail, office and professional use. This reinvigorated the downtown atmosphere of the historic Narragansett Bay. It allowed for increased traffic both for local businesses as well as residential occupancy for summer and winter months.

Project Reference: Drew Bourne, 401-640-6512



# RELEVANT PROJECT EXPERIENCE

DENNIS COLWELL  
ARCHITECTS

## GREAT ISLAND PLAZA\*

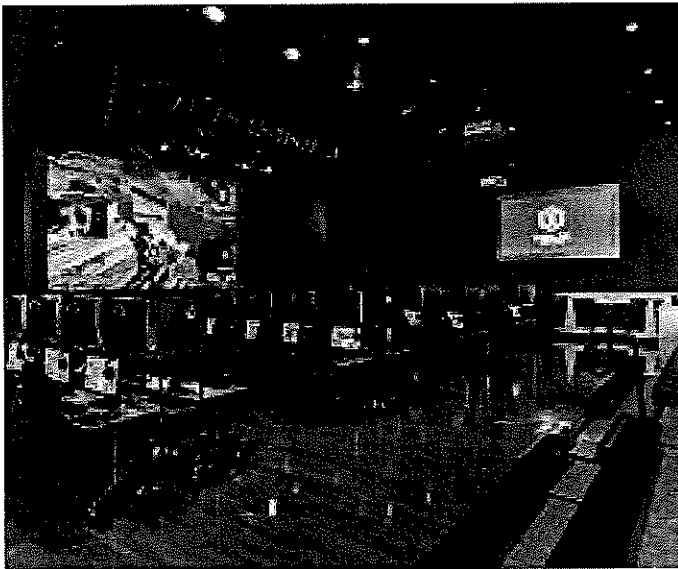
West Yarmouth, MA

This multi-building development houses seven to nine (7-9) retail tenants, which DC designed to be vanilla boxes for future retail tenants. The project is set into a historic area of West Yarmouth. The building utilities design features to emphasize "Cape Cod" imagery.

\*still in development



Existing Condition



## HELIX eSPORTS

Foxborough, MA

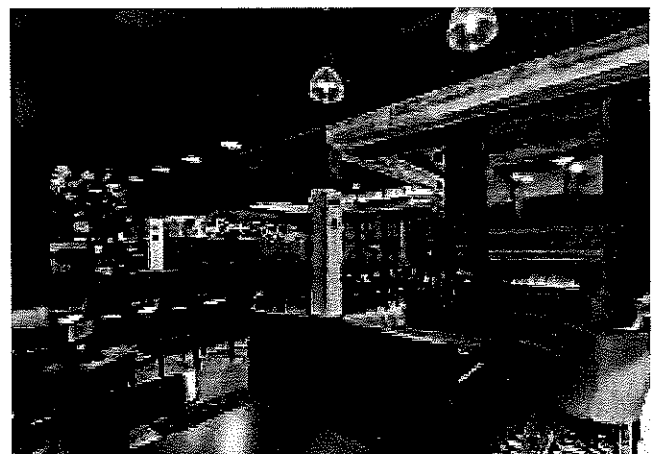
As part of a large complex at Patriots Place in Foxborough, DCA worked with the Kraft Group to help implement their master plan with this project. To Support their Overwatch team and bring a sense of excitement in the new upcoming sport. The project consists of renovating the showcase live theater (+/- 8,500 SF). This renovation results in the new permanent gaming facility of Helix Sports, located at Patriots Place, Foxborough, MA. Renovations primarily consist of the addition of new gaming which requires additional power receptacles.

## WORMTOWN BREWERY

Foxborough, MA

Completed in 2019, the former Battle Road Brewery pop-up space has been completely renovated to encompass the Wormtown vibe. In addition to a new white tile bar, large patio, indoor/outdoor fireplace, and three new murals, Wormtown has also installed a 7bbl brew system that will be fully operational for the start of the year and allow the brewery to offer new and different beers.

Project Reference: The Kraft Group



# COMPANY REFERENCES

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Dennis DiPrete President

DiPrete Engineering

Two Stafford Court, Cranston, RI 02920

[www.diprete-eng.com](http://www.diprete-eng.com) | [ddiprete@diprete-eng.com](mailto:ddiprete@diprete-eng.com)

T 401-943-1000 | F 401-464-6006

Project Information:

Fairfield Commons, Hospitality and Retail, +/- 75,000 sf

Randy S. Kass CPA

Kass & Associates, LTD

90 Ship Street Providence, RI 02903

[randy@kassassociates.com](mailto:randy@kassassociates.com)

T 401-621-9400 | F 508-796-1648

David Sweet Chief Operations Officer

Pannone Lopes Devereaux & O'Gara LLC

1301 Atwood Ave., Suite 215 N, Johnston, RI 02919

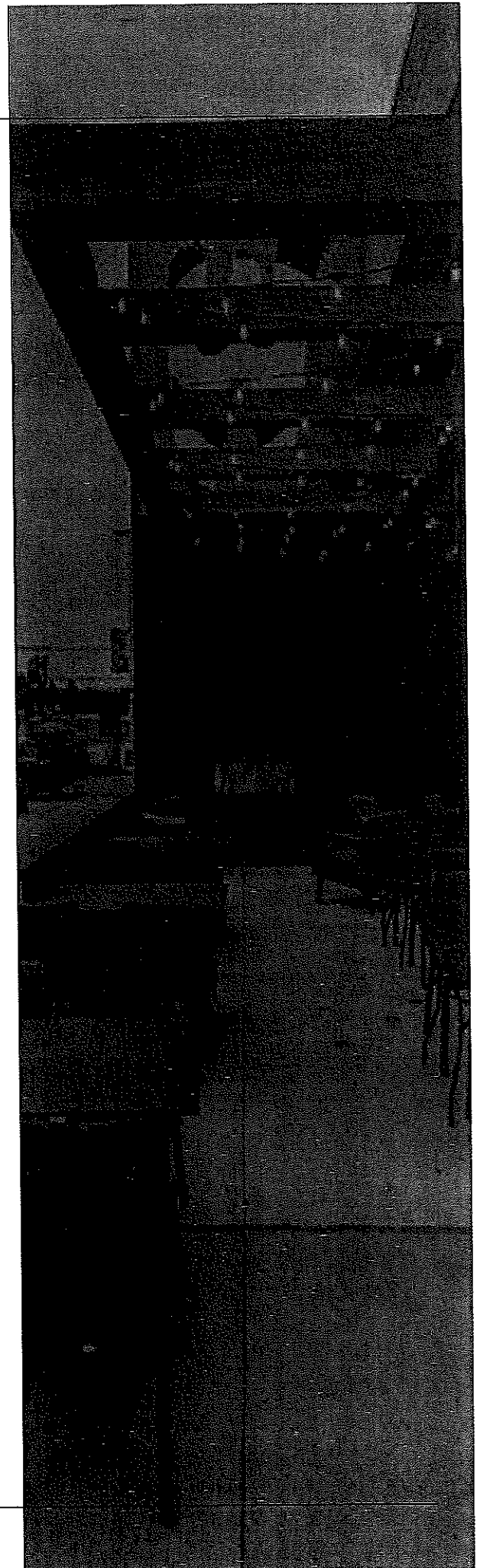
[www.pldolaw.com](http://www.pldolaw.com) | [dsweet@pldw.com](mailto:dsweet@pldw.com)

T 401-824-5100 | F 401-824-5123

Project Information:

Pannone Lopes Devereaux & O'Gara LLC, Law Office Reno., 21,000 sf

Additional references available upon request.



# FINANCIAL STRENGTH REFERENCES

## **KASS & ASSOCIATES, LTD**

---

CERTIFIED PUBLIC ACCOUNTANTS

Randy S. Kass, CPA

---

Harold E. LeBonte, CPA

Member:

American Institute of CPA's  
Rhode Island Society of CPA's  
National Association of  
Certified Valuation Analysts

**Re: Bentley Companies RFP for the Town of Wareham - Tremont Nail Factory**

To the Stockholders of Bentley Companies & The Town Administrator of Wareham:

We currently complete and provide reviewed financial statements annually for the Bentley Companies. Bentley has strong financial capabilities and the means to complete this project for the town as proposed. At your request we can provide full AIA 305 Qualification Statements as needed to depict the financial capabilities.

Should you have any questions or wish to discuss in more detail, please feel free to reach out to me directly as needed.

*Kass & Associates, Ltd*

Providence, RI  
January 21, 2021



January 25, 2021

Town of Wareham  
Town Administrator  
Memorial Town Hall  
54 Marion Rd  
Wareham, MA 02571

Re: Bentley Builders, LLC  
20 Centerville Road  
Warwick, RI

To Whom It May Concern:

We have been asked by Bentley Builders, LLC to provide a reference letter to you.

We acknowledge and confirm that Berkley Surety, through its affiliate Berkley Insurance Company, provides surety credit to Bentley Builders, LLC. Berkley Insurance Company has an A.M. Best rating of "A+" (Superior) and a financial size of XV.

We acknowledge and confirm that Berkley Surety has formed a relationship with Bentley Builders, LLC to provide surety credit. We will consider typical single bond requests in the amount of \$25,000,000 and with an aggregate backlog totaling \$75,000,000. Individual bonds above the limits will be considered on the merits at the time of request.

We are confident with management's ability to perform and manage their work. We recommend Bentley Builders, LLC for your consideration.

***The issuance of surety credit is a matter between the principal and surety and conditioned upon the principal continuing to satisfy underwriting conditions at the time of a bond request. We assume no responsibility or liability to you or any other third party should we decline to issue bonds.***

Respectfully,

A handwritten signature in black ink, appearing to read 'Russell C. Corner II'.

Russell C. Corner II  
Vice President  
Starkweather & Shepley Insurance Brokerage, Inc.  
rcorner@starshep.com  
60 Catamore Boulevard  
East Providence, RI 02914  
401-435-3600 x1318



04

# APPENDICES/ REQUIRED FORMS

# APPENDICES/REQUIRED FORMS: QUALIFICATIONS SUMMARY FORM

WRA RFP for Real Estate Development Services

## 9.0 FORMS AND APPENDICES

Please fill out the following form and submit with proposal.

QUALIFICATIONS SUMMARY FORM						
<b>CORPORATE INFORMATION</b>						
<b>NAME OF FIRM</b>	Bentley Companies					
<b>LOCATION HQ</b>	<b>Street</b>	20 Centerville Rd, Ste 2				
	<b>City State Zip</b>	Woonick, RI 02896				
	<b>Phone</b>	401-295-2022	<b>Website</b> www.BentleyCompanies.com			
<b>MA LOCATION</b> <i>If different</i>	<b>Street</b>	132 Centre St, Ste 205				
	<b>City State Zip</b>	Foxborough, MA 02035				
	<b>Phone</b>	401-295-2022				
<b>ORGANIZATION</b>	Corporation	Partnership	<input checked="" type="checkbox"/> LLC	Sole Proprietorship		
<b>YEARS IN BUSINESS</b>	7.5 years, established 7/2014					
<b>SERVICES</b>	<b>Development</b>	<b>Master planning</b>	<b>Entitlements</b>	<b>Property management</b>	<b>Investment</b>	
	X	X	X	X	X	
<b>LEADERSHIP</b>						
	<b>CEO</b>	Paul Tierney (President, Principal)				
	<b>CFO</b>	Jason Pannone (Vice President, Principal)				
	<b>VP, Area</b>	Adrian Bonito (Vice President of Construction, Principal) David Lannert (Director of Finance)				
	<b>VP, Area</b>					
	<b>VP, Area</b>					
<b>NUMBER OF EMPLOYEES</b>	102	<b>NUMBER IN MASSACHUSETTS</b> 12				
<b>REAL ESTATE EXPERIENCE</b>						
<b>TYPE OF PROJECT</b>	Use	SF	Own	Lease	Office	Retail
	Residential					
	Commercial	See attached relevant experience for All				
	Industrial					
	Mixed Use					
<b>BUILT</b>					Built	Managed
	Residential					
	Commercial					
	Industrial					
	Mixed Use					
<b>TEAMING EXPERIENCE</b>						
	PPP					
	Partnership					
	Joint Venture					

## APPENDICES/REQUIRED FORMS: DESCRIPTION OF APPLICANT BUSINESS/ORGANIZATION

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WRA RFP for Real Estate Development Services

Appendix A

### DESCRIPTION OF APPLICANT BUSINESS/ORGANIZATION

Check appropriate box(es):

The named organizational entity submitting this proposal is:

☒ Corporation    ☐ Partnership    ☐ Proprietorship

☐ Minority Owned    ☐ Woman Owned

SIGNATURES:

This page must be signed by a(n) individual(s) with authority to commit the proposing entity to a binding agreement. Corporations must attach required certification.

COMPANY NAME: Banby Bolden LLC

AUTHORIZED SIGNATURE: 

PRINT NAME OF AUTHORIZED OFFICIAL: Jason E. Parsons

ADDRESS: 20 Cindarella Rd, Ste 2, Warwick, RI 02886

TELEPHONE #: 401-266-2022    FAX NUMBER: \_\_\_\_\_    EMAIL: jb@banby.com

DATE: March 24, 2022

FEDERAL TAX ID #: 47-1433240

DUNS #: 098527114

*If a corporation, a notarized attestation of the signature(s) is required, or in the case of corporate seal affixed, that the signature is the signature of an officer authorized to bind the corporation to a contractual agreement.*

## STATE TAXES CERTIFICATION CLAUSE

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WIRB RFP for Real Estate Development Services

Appendix B

### STATE TAXES CERTIFICATION CLAUSE

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

Boston Bullocks LLC

James P. [Signature]

\* Signature of individual or

Corporate Name (Mandatory)

By: [Signature]

Corporate Officer

(Mandatory, if applicable)

47-1628249

Federal Identification Tax ID

\* Approval of a contract or other agreement will not be granted unless the applicant signs this certification clause.

\*\* This request is made under the authority of Mass. G. L. E2C s. 49A.



APPENDICES/REQUIRED FORMS: HOLD HARMLESS AND INDEMNITY CLAUSE

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WRA RFP for Real Estate Development Services

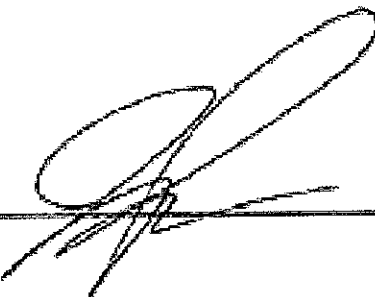
Appendix C

HOLD HARMLESS AND INDEMNITY CLAUSE

Bentley Builders LLC, its officers and members all,  
Legal Name of Proposer's Business Entity

through the signing of this document by an authorized party or agent, indemnify, hold harmless and defend the Town of Wareham and its agents and employees from all suits and actions, including attorneys' fees and all costs of litigations and judgment of every name and description brought against the Town as a result of loss, damage or injury to person or property by reason of any act by Bentley Builders LLC, its agents, servants or employees.

Legal Name of Proposer's Business Entity

 \_\_\_\_\_ Authorized Signature

Jason E Pannone, Principal

\_\_\_\_\_  
Name and Title (Print or Type)

March 24, 2022

\_\_\_\_\_  
Date

 Corporate Seal

WRA RFP for Real Estate Development Services

Appendix D

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity, or group of individuals.

FIRM Bentley Builders LLC

SIGNATURE 

ADDRESS 20 Centerville Rd, Ste 2

NAME (print) Jason E Paine

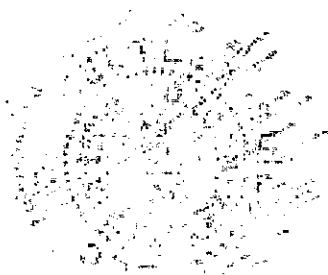
Warwick, RI 02888

TITLE Principal

TELEPHONE 401-576-6053

DATE March 24, 2022

**Corporate Seal**







## Wareham Redevelopment Authority

Town Hall 54 Marion Road Wareham, MA 02571-1428

Peter Teitelbaum, Chairman  
Kenneth Buckland, Clerk

Judith Whiteside, Selectman  
Dean Butler, At-Large

Derek Sullivan, Town Administrator

Sonia Raposo, Assistant

(508) 291-3100 x6500  
kbuckland@wareham.ma.us  
sraposo@wareham.ma.us

April 5, 2022

Judith Whiteside, Chairman  
Board of Selectmen  
Town Hall  
54 Marion Road  
Wareham, MA

RE: Recommendation on Selection of Master Developer for Tremont Nail Factory

Dear Chairman Whiteside:

The Redevelopment Authority met on March 31 and voted 4-0-0 to submit our recommendation to the Board of Selectmen to select Bentley Builders, LLC of Warwick RI, as the team to negotiate a Disposition and Development Agreement with for completing the Vision for redevelopment of the Tremont Nail Factory.

A Request For Proposals was issued on February 17, 2022 and Bentley Builders, LLC responded. Their proposal was reviewed and found to be in conformance with the criteria, and Highly Advantageous and Advantageous as presented.

This is the second time they have submitted for the redevelopment project and they are very interested in creating something that conforms to the Town's Vision for Tremont Nail Factory.

Again we recommend that the Selectmen select this developer and authorize the Redevelopment Authority to negotiate a Disposition and Development Agreement with the developer's representatives. It will also be necessary to obtain Town Meeting's approval of a longer lease term for the property. Once that is in hand and when a draft Agreement has been completed, the Agreement will be sent back to your Board to execute.

Sincerely,

Kenneth Buckland  
Clerk, WRA  
Director of Planning

cc: WRA

Jason Pannone, Bentley Builders, LLC

Attachment to 4-12-22  
meeting minutes

Article 19 has been proposed for town meeting to Institute a moratorium for approximately one year for two reasons. The first reason is not to obstruct Article S15, the newly proposed solar by-law advanced by the solar committee, but to protect the by-law, should it pass, from the unknown decisions of the Attorney General and the Supreme Judicial Court. Article S15 will be voted on in the Special Town Meeting before the moratorium vote in the Regular Town Meeting so it can't be overridden since the Town Administer has clarified that a moratorium freezes, not rescinds, a by-law,

Article S15 was written before Attorney General Healey disapproved last year's solar by law, unanimously approved during last annual town meeting, that limited the size of new ground mounted solar projects to ten acres pre-cut for five years, The Attorney General's disapproval gave insight into her reasoning but came too late to be useful in writing Article S15 which may contain similar flaws under her scrutiny..

Adding to the A.G.'s disposition towards Article S15 will be the ruling of the Supreme Judicial Court that heard a case in March Involving a developer vs the town of Wrentham differing in their interpretation of Mass General Law 40A Section 3 P 9 which regulates large ground mounted solar systems. Written in 1985 whe big solar was 250kw instead of 20 MW recently approved in Wareham that law states "no zoning bylaws shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy except where necessary to protect the public health safety and Welfare." Because there are no accompanying definitions of health safety and welfare in concrete terms, the law has been problematic for years, with many towns having weak laws that

don't cause legal challenge from developers. Now we hope is a different time where developers have shown they often don't have the town's health safety and welfare as their priority. Many town's folks have been angered, disheartened, have felt unsupported by their boards and have considered moving and have moved. They don't believe the Wareham they have known will exist for their grandchildren or is remaining protective of the children of the present.

The basis of people's health, safety and welfare is defined by them. That is the basis of a solar by- law.

In the lawsuit before the Supreme Judicial Court that matters so much a developer argued that the mass General law means you can't have town bylaws that prohibit solar anywhere in town. Only by each project specifically can you regulate certain terms such as setbacks and fencing. Waltham's zoning by- law states the opposing view, that you certainly can regulate large solar utilities by zoning it in their industrial zone and prohibiting it in their residential. They are in court because the developer owns a strip or residential property in Waltham beside the solar utility he has built in neighboring Lexington. He insists on using that residential strip for his solar access road.

Small differences that will affect how all the towns in Massachusetts site solar. That case ruling, completed by August, will impact the A.G.'s ruling on Wareham's Article S15.

If Article S15 doesn't pass at town meeting, and a moratorium does, the moratorium will prevent our solar bylaw of 2014 from remaining effective. It's effective now after the disapproval of last year's, allowing many and larger solar utilities to be built. Passing

the moratorium will freeze the building of large scale for a limited pause; however Article S15 is voted.

The second reason I am writing the moratorium is because even if the by law Article S15 is passed and accepted after the determinations of the Attorney General and the Supreme Judicial Court, it's permitting of 0-5 MW in residential zones of Wareham is not what people signed up for when they approved unanimously to limit solar to ten acres. Five MW or 5,000 kilowatts, takes approximately 25 acres of stripped land, usually forest ,and destroys an ecosystem of animals and plants that have been working beautifully as a living system, so valuable and so undervalued. Creating "green" energy from killing forest life and impacting precious water bodies, air quality and temperature, neighborhood tranquility, sound and smell, carbon storage and sequestration, aquifer protection, watershed filtration to private wells , ponds and rivers, is called greenwashing and often is outsourced environmental destruction for larger urban areas. Many areas that pride themselves on going "green" with deforestation are replanting in their communities, valuing trees in their yards and parks as a greatly increased home value.. 0 to 5 megawatts of solar can fit in almost anywhere there is any green space in a residential area. I have been offered five companies to choose from who want to come in and strip the forest, fence in the meadow and pay me to lease to them for solar. Eyes in the sky are looking for all available 0-5 MW land in our residential areas where citizens' protection is not a priority..

Mass General Law 40A Section 3 paragraph 9 stated in the affirmative states "where necessary to protect public health, safety and welfare, zoning bylaws shall prohibit or reasonably

regulate the installation of solar energy systems or building structures or the building of structures” in Wareham. In reading that law affirmatively, a town planning board can participate in reversing the destruction of the natural world defined as the “fix” for the existential crisis that climate warming presents. That existential question is everyone's responsibility and zoning by-laws that determine land use at the local level are critical to the fate of the Earth-how humans degrade or nurture the land determines the planet's viability.

UN Secretary-General Guitierrez has mandated this the decade of restoration because the natural world is losing its resiliency. The natural world is losing its ability to renew itself against the constant onslaught of harm by humans and the greenhouse gasses our relentless and knowing consumption of fossil fuel creates. As the population relentlessly increases along with the increase in demand for energy to turn on the technological spine of our culture, the CO2 level continues to rise. The IPCC International Panel on Climate Change's latest brutal report presents a diminishing window of opportunity to change the course of increasing carbon dioxide- a closing window to prevent the very worst unlivable planetary aspects of climate crisis.

Back at the local level where we can do something we have a responsibility to implement zoning bylaws that protect the natural world and institute beneficial solar siting. Because, however, of solar deforestation and loss of farmland, solar has become a dirty word to many people of Wareham. Collecting signatures last year to limit solar, I heard people expressed solar in the harshest terms. It was common to hear how they hated it. Why is it by



slaughtering forests and animals? Who's making the money. We pay the subsidies and my electric bill is going up. There'll be nothing left of the woods I had as a child.

Local boards are distrusted for protecting solar developers but not using that Mass. Law when they could read the law in the affirmative to protect their public's health, safety and welfare. Giving our Planning Board credit in many cases, the words "no zoning by-law shall prohibit or unreasonably regulate" are used like hammers by developers, backed by monied companies like Con Edison, who have lawyers on call and an ex-lawyer salesman.

The first thing that the A.G. said about our 10 acre limit solar by-law was that it "reflected no evidence of an important Municipal interest grounded in protecting the public health, safety, or welfare that is sufficient to outweigh the public need for solar energy systems". Our job is to take environmental destruction out of the "public need for solar."

Last year's warrant article did not make that connection between limiting acreage of a solar utility to 10 acres with 5 prior years of clear cut to the public's health, safety and welfare that would justify that limitation.

We could argue less deforestation equals more health, safety and welfare but that's throwing the phrase around and isn't what the AG's directive is about. Saying this in multiple ways, here's this way, " though there's a fundamental that the AG has a limited power of disapproval and it is fundamental that every presumption is made to be in favor of the validity of the municipal bylaws , when reviewing zoning bylaws for consistency with the

Constitution or laws of the Commonwealth the attorney standard is equivalent to that of a court,,,,,,the proper Focus review of this zoning enactment is whether it is arbitrary or unreasonable or is substantially related to public, health, safety and welfare.”

She wants evidence. Substantial evidence.

Evidence that public health is undermined by deforestation for solar when solar is sited over a thin, easily penetrated layer of sand that is the only protection for a sole source aquifer after the primary filter, the forest, has been removed, then the sand strip mined 20-30 feet down to an unknown distance within the sole source aquifer and even known to tap into it for a useful reservoir

Evidence that animals whose habitat is destroyed migrate as unwitting vectors of disease into neighboring yards, as an example, causing residents the extreme suffering of Lyme's that can debilitate for years.

Evidence that the temperature of the air without the forest is 5-7 degrees warmer with 7330 solar panels generating 4.4 MW of electricity. Heat that for elders can cause heat stroke and necessitate the energy intensive AC running.

Evidence that health relies on oxygen and the elimination of CO<sub>2</sub> which trees, the lungs of the planet, do every second by their thousands of leaves.

That neighborhood health relies on forest pulling out 1/3 of all human-caused co<sub>2</sub> emissions each year.

Evidence that the larger trees over 21 “ store 42% of the above-ground carbon.

And that forests replenish themselves effortlessly and have for millennia. They are the secure principal, the interest given in full to all humans annually. That once uprooted, complex filtration, water storage and carbon sequestration does not return.

Evidence that when families are sandwiched between solar projects on land which, for their whole lives, they lived with forests- they suffer depression. Their economic welfare suffers, their sleep is disturbed by the hum of fans and inverters, scour off panel drip lines clogs the catch basins that breed mosquitoes and have to be sprayed but never were before..

Evidence of the for sale sign that goes up before the small boys ask the dreaded questions "What is that noise?" "Why are they putting the forest in trucks?" "Where will our friends, deer and birds, live?"

Or that the hydrogeologist who asked about private drinking wells at his interview and was told there were no private wells was never told otherwise, until informed by a resident who did the research. 211 of 259 households, estimated 600 people, have private wells fed by the 92 'headwaters of the watershed forest that gives them the very best water.

That it's the same water that feeds pure water to the streams and rivulets carrying nourishment to the river species, critical to the health of the Weweantic River and Buzzards Bay as stated by the Coalition Director, Mark Rasmussen, having spent 1.2 million to restore the Weweantic.

Water which can't possibly be replicated on a barren hill with pipes and berms and sufficient recharge.

As Nancy says the forests know what they're doing.  
Until they are killed.

The AG wants FACTS. What's happening on the ground.  
Setbacks and vegetated screening are aesthetic but that doesn't cut it for her court. Citizen's voices must be heard, their

statements recorded and compiled, integrated as important knowledge of the land to weigh for protection of THEIR health safety and welfare. Not a phrase, not an abstraction. REAL.

A moratorium would start with the premise that we can't afford the destruction of land that protects our water and air, that welfare includes economics, that we can't add to species die off, we can't live without the natural world for mental and physical health reasons, or with eight months of thousands of heavy truckloads carting of trees, hauling in glass and steel on a dangerous residential road.

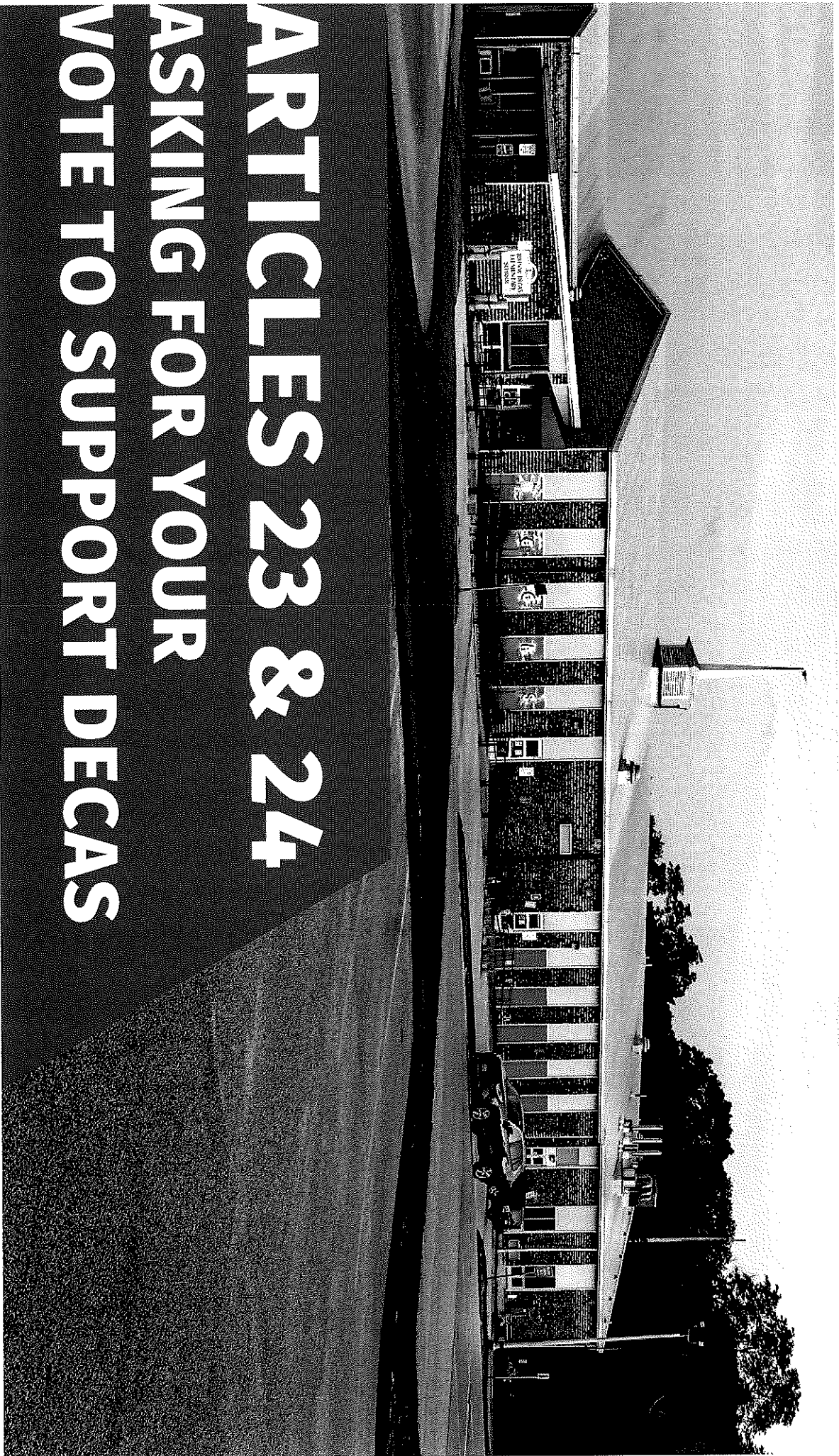
Instead of pointing to where solar is right.

A Moratorium gives more time for people to work with, expand and integrate the work of the solar by-law committee. To research, study and document a path for drawing up a by law conforming to the attorney general's provisions under the court's rulings with Constitutional protections for people - a structure for the town's authority to be flexible in gaining new knowledge, support efficient, evolving technology, and to use the best science to consider protective-priority by laws without which more living earth dies at our hands.

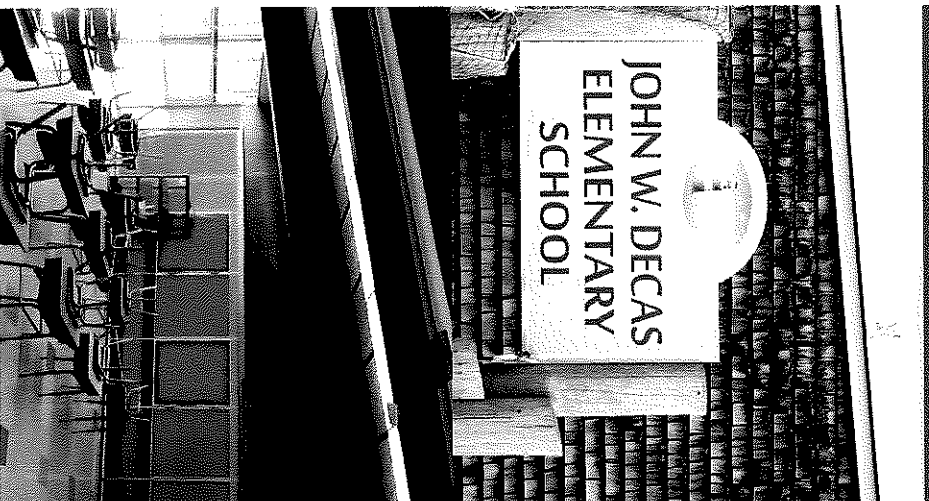
It's doable. We can protect, restore and conserve, audit our town energy use, reassess where degraded land exists, lease solar on municipal rooftops and homes with available battery backup storage to reverse the paradigm of ever increasing suffering and loss to health, safety and welfare- by law, protecting and restoring the natural world.

Attachment to 4-12-22  
meeting minutes

# ARTICLES 23 & 24 ASKING FOR YOUR VOTE TO SUPPORT DECAS



Decas offers all of the amenities required for  
a multigenerational community center





## **What Community Issues Does Decas Resolve?**

- **provides suitable & appropriate space for COA programs, Veteran's and Disability services**
- **makes space for several education-based organizations that cannot grow in their current locations**
- **increases after-school options for families of all incomes**
- **repurposes space for community events, activities, services, enrichment, health & wellness, and continuing education**

# Articles on the Warrant

## Article: 23 – DECAS STEERING COMMITTEE

To see if the Town will act favorably on the Decas Steering Committee Report; namely providing the Steering Committee and the John W. Decas Community Center Foundation, Inc. access to the building to assist the Town preparing the building for occupancy and by moving the Council On Aging to the Decas School building by July 1, 2022; and further, for the Town Administrator to execute contracts on the RFPs advertised that call for a non-profit preschool program, a solar canopy land lease, and a non-profit food pantry at the Decas Community Center property so the basic community needs will be met and the programs can begin at the beginning of the fiscal year and the 2022-2023 school year.

## Article: 24 – DECAS STEERING COMMITTEE REPORT

To see if the Town will hear the Report of the Decas Steering Committee.

Town of Wareham  
BOARD OF SELECTMEN

2022



## **Article 23: To act on a Steering report, issue RFPs, move the COA and provide access to the bldg**

Article 23: To act on a Steering report, issue RFPs, move the COA and provide access to the bldg

- issuing RFPs for rentals of space in Decas is key to determining the finances of community use of the building
- without RFPs everything is projections and conjecture
- moving the COA addresses immediate constraints on their activities, accessibility issues, allows adult day care to grow (which is income producing)
- providing Decas building access to the Steering Committee assists them in completing their charge & providing the Decas Foundation access is in keeping with access that other non-profits like the Library Foundation & PTA have
- Foundation has secured tax exempt status, raised approx. \$1K to-date, on target to raise another \$1K by April 30 and several grant applications outstanding

**Article      To act on a Steering report,  
23:            issue RFPs, move the COA and  
              provide access to the bldg**

\*\*\*\*\*

**According to Wareham's Charter, Section 4-2 Powers & Duties**

- (a)      He shall supervise, direct and be responsible for the efficient administration of all functions under his control, as may be authorized by the charter, by by-law, by other town meeting vote or by vote of the board of selectmen, including all officers appointed by him and their respective departments.
  
- (p)      He shall perform any other duties required of him by the charter, by by-law, by other town meeting vote, or by vote of the board of selectmen.

## **Article 24: To hear a Steering report**

Article 24: To hear a Steering report

- hearing a report allows the committee to update Town Meeting on their work and make recommendations that would further reveal key information to good decision-making (ie. issuing RFPs)
- the language of the Article 20 approved by Town Meeting specifies they will make recommendations *no later than* Fall 2022 Town Meeting
- their terms are established through Fall 2022 Town Meeting
- should Steering make a report during Article 5, this article can be withdrawn

*ex-officio* members. A quorum for this Committee shall be four voting members. The committee will make recommendations to the body no later than fall Town Meeting 2022.

(c) The Steering Committee shall provide recommendations on the use of space in the John William Decas Elementary School building for and by the residents of the Town and other members of the public. Such recommendations may include but shall not be limited

Member	Position	Term
Diane Kenney	Chair	2022 Annual Fall Town Meeting
Jonathan Dallmeyer	Clerk	2022 Annual Fall Town Meeting
Jody Santagate	COA Representative	2022 Annual Fall Town Meeting
Charles Klueber	Member	2022 Annual Fall Town Meeting
Damon Solomon	Member	2022 Annual Fall Town Meeting
Tracie Williams	Member	2022 Annual Fall Town Meeting
Vacancy One		

## **What will voting yes mean for our community?**

- provides additional concrete information for the Steering Comm & the Town
- RFPs issued = real budget numbers
- contracts executed for space rental = income
- building access leads to better decision-making based on direct observation of the building and increased fundraising & grant-writing capability



## **A few ways our community could benefit?**

- enhanced COA draws residents of other towns who then shop & spend money in Wareham
- we become a destination, a town with amenities
- expanded Head Start creates 12 jobs, adds 22 to 40 new students and families gaining services
- HS can make building improvements up to \$250K under their existing grant with a long-term lease
- no other funds are coming down the pike for community centers