CAPE COD
COMMISSION

Minutes
Cape Cod Commission Meeting
Thursday, June 11, 2026

This Chair announced that this meeting is being held in a hybrid format, with some members of the Commission participating in person and some participating remotely, as allowed pursuant to Chapter 20 of the Acts of 2021, as extended. Some opening meeting announcements to help run this hybrid meeting smoothly including how to be recognized to speak and how to participate by zoom and telephone.

The Clerk, Lisa Dillon, called the roll for attendance and a quorum of members was established as follows:

Tom Wilson (Chair)	Present
Kevin Grunwald (Secretary)	Present
Catherine Ledec	Present
Robert Frangieh	Present (arrived at 3:13 p.m.)
Elizabeth Taylor	Present
Michael McGee	Present
Michele Vion	Present
John Druley	Present
Harwich Representative	Vacant
Ernest Virgilio	Absent
Douglas Fromm	Present
Anne McManus	Present
Peter Okun	Present
David Mead-Fox	Present
Dennis Prebensen	Present
Ronald Bergstrom	Present (left at 4:14 p.m.)
John Harris	Absent
Native American Representative	Vacant
Carlos Barbosa	Present

The following members participated virtually via ZOOM:

Robert Frangieh
Elizabeth Taylor
David Mead Fox

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Summary of actions/votes taken

- The draft minutes of 5/14/26 Cape Cod Commission meeting were approved.
- The committee voted to approve the Falmouth Marine Improvements Exemption and adopt the draft decision recommended by staff
- The committee voted to approve the Sand Pit Rd ANR and adopt the draft decision recommended by staff
- The committee voted to approve the 2024 Comprehensive Economic Development Strategy Year 2 Annual Report and submit the report to the U.S. Economic Development Administration

The Chair announced that the meeting was being recorded for purposes of minutes. He asked if anyone in attendance was recording the meeting.

There were none.

Review and approval of the 5/14/26 Cape Cod Commission Meeting minutes.

Upon a motion to approve the draft minutes of the 5/14/26 Cape Cod Commission meeting minutes by Peter Okun, seconded by Dennis Prebensen, the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Yes; Elizabeth Taylor, Yes, Tom Wilson, Yes; Michael McGee, Yes; Michele Vion, Yes; John Druley, Yes; Douglas Fromm, Yes; Peter Okun, Yes; Anne McManus, Yes; Kevin Grunwald, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes; Ronald Bergstrom, Yes

Public Comment

There was no public comment

Executive Director's Report: Kristy Senatori

- Staff are continuing work on the regional open space plan, finishing up meetings with towns and planning for meetings with relevant state and federal entities and local/regional land trusts. I shared an overview of the process with the Barnstable County Commissioners recently and will be before the Assembly of Delegates next Wednesday.
- Working with staff at EOHLC and other RPAs to develop model bylaws that support Seasonal Communities. Anticipate model bylaws and additional guidance will be available soon. To date, 9 Cape Cod towns have accepted the Seasonal Communities designation. Next meeting of Seasonal Communities Advisory Board is next week.
- Participated in meetings of the Canal Bridges Advisory group and the Cape and Islands Bridges Coalition earlier this week. Secretary Eng was present at the Coalition meeting and provided updates from the Commonwealth perspective highlighting that this project continues to be a priority of the administration.

Admin/Finance

- Commission member workshop this spring scheduled for June 25th in Harwich at the Old Bank Street Fire Station. Optional ½ mile walking tour with Mike Lach, Harwich Conservation Trust, along the All Persons Trail at the adjacent Cold Brook Preserve. Walk begins at

9:30am; member workshop begins at 10am. We will have a Commission meeting back in this room at 3pm that day.

- The fiscal year ends on June 30th. If any member who plans to seek reimbursement for travel has not yet reached out to Maria McCauley with an estimate, please do so now; no payment can be made without prior encumbrance. Members should submit their travel reimbursement requests no later than July 10th.

Public Hearing, Falmouth Marine Improvements: The Cape Cod Commission will hold a hybrid public hearing on the following Project to consider the following Development of Regional Impact (DRI) Exemption request submitted pursuant to Section 12(k) of the Cape Cod Commission Act and Section 7 of the Enabling Regulations Governing Review of Developments of Regional Impact, as amended. At this hearing, the Commission will assemble the record, review the proposed development, discuss the following project and may decide and vote on whether the project qualifies for a Development of Regional Impact (DRI) Exemption.

Project: Falmouth Marine Improvements (CCC File No. 25027)
Project Applicant/
Property Owner: ACME Falmouth MA, LLC
Project Location: 278 Scranton Avenue, Falmouth, MA 02540
Map/Parcel: Parcel ID 47C 06 012 002
Project Description: The Project proposes improvements to Falmouth Marine, a privately-operated marina. The proposed work includes reconstruction of the existing bulkhead and floating piers, ferry ticket office, boat lift slab and wash pad and boardwalk, utility and stormwater improvements, and dredging work to accommodate larger boats.

The Chair asked for the applicant's presentation.

Using Power Point, Attorney Matthew Terry, Ament Klauer, said that Raul Lazardi, Cape & Island Engineering, Mark Manganiello, LEC Environmental Consultants, Jay Kehoe, General Manager of Falmouth Marine and Tim Cohen, Director of Sales, Marketing and Customer Service at Falmouth Marine are all here today and available for questions. Attorney Terry discussed the procedural history of the project. He reviewed the existing conditions, proposed site improvements and the Exemption Standard and Analysis.

The Chair asked for staff's presentation.

Using Power Point, Alex Peterson reviewed the Jurisdiction of a Development of Regional Impact, staff's review of the project and the recommended findings/conditions.

The Chair asked for Commission member questions.

The Chair recognized John Druley who asked if this was granted today, does the applicant have to go back to the town of Falmouth. Mr. Lazardi said the Conservation Commission permits are based on the plans that have been presented for this exemption and the Select Board has approved them.

The Chair recognized Catherine Ledec who said that there is an inconsistency with how the DRI exemption threshold has been determined. She said that the EIR was required solely because of the proximity to an EJ community but on page one it states that because it requires agency action and meets or exceeds MEPA thresholds related to alteration of wetland resources and reconstruction of an existing sole pile support or bottom anchored structure. Mr. Peterson explained that the

requirements for review are two-fold. There needs to be an impact on an environmental resource area and there needs to be agency action. Generally, the agency's action could be public funding for a project or it could be that it is a project done by a public agency, so it has to hit one of those two and then has to impact environmental resources. He said that if it does that, it triggers an environmental notification form, which is like the first or lower level of MEPA review, which is analogous to forget if it's an environmental impact report or MEPA also at the federal level has a similar two threshold review. This triggered the ENF based on those resource impacts and the agency action. Based on the agency action and the environmental impacts, it wouldn't have hit the second EIR threshold, but if it hits that first one and is in an EJ community, then that automatically bumps it up to the EIR. Ms. Ledec was satisfied with the explanation Mr. Peterson provided.

Ms. Ledec said that this is work on land, underwater and water doesn't know boundaries. Silt and sediment from construction and dredging will likely impact water quality in the harbor and beyond the area of the project impacting water quality, aquatic life, benthic life and any underwater vegetation in the greater harbor. She feels that that is an important impact and even though the other DRI threshold criteria for the work on land does not exceed the threshold, she is having trouble with the work being done in the water being just specific to this site. It seems that it impacts more than just that site because it's almost impossible to prevent the sedimentation from the construction activities in water from impacting the Greater Harbor, more than just Falmouth. She said that this is an area of concern with respect to this exemption request. She is a little uncomfortable approving the exemption because of that issue.

The Chair recognized Mr. Fromm who commented that under condition C1, should there be an appeal? What does that trigger? If someone has standing to appeal and pursues an appeal of that decision under Section 17 of the Cape Cod Commission Act, which applies to any actions from the Commission, what would happen is the appeal will be filed in court and then it would put a pause on all the permitting until that was resolved.

The Chair asked for applicant/staff response.

The Chair recognized Raul Lazardi, Cape & Island Engineering who said that the project does propose a double silt current to filter out silt sediments that that are generated during the construction activity. It's also worth noting this is in Falmouth Inner Harbor, which has a federal channel that just recently got dredged from the mouth of the of the inner harbor. These activities of dredging in the harbor are typical within this harbor. Contractors install a turbidity curtain to protect the water quality from sediment that gets suspended into the water column from filtering out of the work zone. That was reviewed by both MEPA, Falmouth Conservation Commission and DMF who also reviewed the information. This also includes permitting through Chapter 91 at the DEP mass DEP level. So far every agency that has reviewed this application has been comfortable with the proposal.

The Chair recognized Mr. Druley who said that since there is an approval from Conservation commission in the Town of Falmouth, that is satisfying enough for him.

The Chair asked for public comments.

There were no public comments

The Chair asked for final comments from members.

The Chair recognized Mr. Druley who said that since there is an approval from Conservation commission, that is satisfying enough for him.

The Chair asked for a motion.

Upon a motion to approve the Falmouth Marine Improvements project as a Development of Regional Impact Exemption because its location, character and environmental effects prevent it from having any significant impacts on the resources, values and purposes protected by the Cape Cod Commission Act outside of the town of Falmouth and direct staff to draft a decision for the Chair's signature by Kevin Grunwald, seconded by John Druley, the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Yes; Elizabeth Taylor, Yes, Tom Wilson, Yes; Michael McGee, Yes; Michele Vion, Yes; John Druley, Yes; Douglas Fromm, Yes; Peter Okun, Yes; Anne McManus, Yes; Kevin Grunwald, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes; Ronald Bergstrom, Yes

The Chair read the following Hearing Notice.

Public Hearing, Sand Pit Rd ANR: The Cape Cod Commission will hold a hybrid public hearing on the following Project to consider the following Development of Regional Impact (DRI) Exemption request submitted pursuant to Section 12(k) of the Cape Cod Commission Act and Section 7 of the Enabling Regulations Governing Review of Developments of Regional Impact, as amended. At this hearing, the Commission will assemble the record, review the proposed development, discuss the following project and may decide and vote on whether the project qualifies for a Development of Regional Impact (DRI) Exemption.

Project: Sand Pit Rd ANR, CCC File No: 26006
Project Applicant: NextGrid Pecan LLC
Property Owner: The Donald W. Noons Trust
Project Location: 9 Noons Drive & 2 Sand Pit Road, Truro, MA
Map/Parcel: 38/107 & 38/108
Project Description: The Project proposes a division of land to construct a ground mounted solar photovoltaic array and associated battery storage system on approximately 24.72 acres of the approximately 55.9-acre site.

The Chair asked for the applicant's presentation.

Using Power Point, the applicant Mike Madison, NextGrid. He said that the purpose is a lot line adjustment, associated solar PV facility and the basis of the exemption. He reviewed the project location & Site Context. He talked about the community & stakeholder outreach that included virtual meeting in person meeting and site visit. He provided further details on the project and the use comparison. He reviewed the basis of the DRI Exemption, Environmental & Community Benefit. Dan Serber clarified some points on the community benefits and reviewed the summary and request.

The Chair asked for staff's presentation.

Using Power Point, Ellen Carlson, Regulatory Planner reviewed the referral process. She discussed the DRI exemption and the qualifications. She explained the staff review of the exemption request.

She said that the areas staff focused on were PFAS and natural resources and stormwater management. Staff found that the project will not have significant impacts on the values and purposes in the Commission ACT outside the Town of Truro.

The Chair asked for Commission member questions.

The Chair recognized Kevin Grunwald who asked for clarification on the exemption confirming that further action around the change in the lot line or are we voting on an exemption for the entire project to move forward? Ms. Carlson said that according to the ACT, when we have a development associated with a land division, we have to consider the two of them together. The exemption would be granted for the project to move forward as it's currently proposed. Mr. Grunwald said that In the presentation the applicant showed the distance from the project site to South Hollow Rd and believes that is a well field that primarily serves Provincetown and areas of Truro. He asked if there have been studies done on contamination of the well field. Tara Lewis Water Resources Analyst said that studies have been done, and the groundwater is not heading toward that wellhead. They also looked at contamination within the soil and water but not moving anywhere near the wellhead protection area. Mr. Grunwald asked for the distance from the proposed site? And that information wasn't available,

Mr. Grunwald asked for clarification of native species, mentioning that cypress trees are not native to Cape Cod. Mr. Serber said that it would be native beach grass adding that an abutter requested the cypress trees.

Mr. Grunwald said that the presentation said that one of the benefits would be a reduction in traffic and noise, what is being eliminated? Mr. Serber said that there is current material extraction from the floor of the pit and the Noon family have moved out of the business but continues to extraction sand, Material extraction will be eliminated, and those trips will no longer happen. And the noise from the trucks will no longer take place. Solar panels don't make noise. They have taken extra steps to guard the neighbors facing the sides of the equipment pads.

The Chair recognized Peter Okun who asked about the PFAS area and are there orders of condition from the town or something you're throwing out at us.? Mr. Serber said that the condition is to monitor and make sure there is no contamination that leaves the project site. Currently the surrounding wells are showing no contamination. The plan would be to pump out, clean and remediate the PFAS and remove the RTN. Mr. Okun asked if there was a change that PFAS could escape during construction Monitoring the contamination off site would be our Legal responsibility from the MassDEP. During construction, will that escape if not cleaned up. Melinda Costell, Weston & Sampson said that there will be a licensed professional on site. Moving material around doesn't present the risk, but if material is moved off the site, it would require sampling and monitoring associated with that. This will all be regulated through MassDEP. Mr. Okun asked how much PFAS are we talking about? Ms. Costello was unaware, but above reportable conditions MassDEP standards.

The Chair recognized Michele Vion who asked if there were other comments from the public other than the noise, a serious concern that may have been addressed? Mr. Serber said that neighbors were primarily concerned about the noise and visual impact asked for fencing and noise. PFAS was another concern and Mr. Serber said that they were able to address those concerns from the neighbors.

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The Chair recognized Ms. Ledec who said that Leland cypress are not native consider local species and asked the applicant to look at different species. She is uncomfortable with approving the exemption. She feels that this project will impact the resources, values and purposes protected by the ACT regionally beyond the municipality of Truro. She said that the site is designated at the state level as highly valuable with the designation of Biomap core habitat.

The Chair recognized Robert Frangieh who asked if it is common with a known contaminant to put a project on the site. Jordan Velozo, Chief Regulatory Officer is not aware of a site but generally with an industrial site like this, it would not be unusual to be developing something here.

The Chair recognized Mr. Grunwald who asked Barbara Carboni has the town taken a formal position on the Exemption. She said that the town doesn't oppose DRI Exemption on this project it, but there will be a robust process through the town.

The Chair asked for applicant/staff response.

Mr. Serber said that just because this site may cease to be a material extraction site if we buy it does not mean it will cease to be a material extraction site should we not buy it. Nor will it mean that the owner of the site will not actively pursue other buyers and more intense uses for the site.
What we're proposing is to correct that when once the solar is in place, native grasses are growing, wildlife will return to the site. The groundwater will continue to be upgraded with additional storm water facilities. They believe that the flora and fauna will thrive in the environment that we're building.

The Chair asked for public comments, starting with State, Federal and local officials.

Barbara Carboni, Town Planner and Land Use Council for the Town of Truro said that if an exemption is granted by the Commission, the project will be coming back before the Planning Board for permitting under the town's large scale solar and commercial site plan review processes. In the applicant's summary of the project presentation, it was stated that this site is within the solar overlay district. It is not the overlay district for solar it is around the town transfer station.
Her second comment is that matters such as what gets planted, what the fence looks like, any mitigation that the board finds during the hearing process needs to be imposed through conditions, is up to the planning board. She appreciates that the applicant has done work and there's a discussion between neighbors of the project site and the and the applicant. Ms. Carboni wanted to reinforce that matters such as whether a Cypress tree is planted or not, are matters that are going to be before the planning board. She looks forward to when that hearing recommences and the planning board can vet these questions and imposing conditions that they feel are appropriate for the project.

John Shope a direct abutter to project said that he is not opposed to project and understands that it will still go through the planning board. He realizes that the screening details etc.. aren't locked in, and that the town makes that decision. He said that Lelands have worked well in the past and they grow quickly.

Tom Lucas, abutter asked if there is a map available with details of the proposed location of the fencing?

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Candace Cummings an abutter said that we look down at this and history on the sandpit. She now feels that this is the best use of the property. She said that NextGrid has been very accommodating to answer questions and help finding solutions to neighbor concerns.

The Chair asked for final comments from members.

The Chair recognized Mr. Okun disagrees with Ms. Ledec, he feels that this is perfect example of an Exemption – this comes under the purview of the Town of Truro.

The Chair recognized Mr. Fromm who asked if the only agency in the town that will be reviewing the project is the planning board and building commissioner are there other boards or committees? Ms. Carboni said not at this time, but if something comes up during the hearing process. Other departments such as Fire Chief, Police Chief and the DPW Directior will be reviewing the project as well.

The Chair recognized Ms. Ledec who said that there is nothing in the decision that says that the town of Truro will review. Ms. Wielgus said that the town retains the right to review this regardless of whether it's in the decision or not. Ms. Ledec feels that this project is bigger than everyone seems to think it is. She asked if the applicant is proposing an open space offset. Mr. Serber said that there is no open space requirement under the full DRI review. He said that they are preserving portions of the land and that has been communicated to the town and the CCC several times.

The Chair asked members if they had any further questions and there were none. The Chair asked for a motion.

Upon a motion to approve the Sand Pit ANR project as a Development of Regional Impact Exemption because its location, character and environmental effects prevent it from having any significant impacts on the resources, values and purposes protected by the Cape Cod Commission Act outside of the town of Truro and direct staff to draft a decision for the Chair's signature by Kevin Grunwald, seconded by Peter Okun, the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Yes; Elizabeth Taylor, Yes, Tom Wilson, Yes; Michael McGee, Yes; Michele Vion, Yes; John Druley, Yes; Douglas Fromm, Yes; Peter Okun, Yes; Anne McManus, Yes; Kevin Grunwald, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes;

2024 Comprehensive Economic Development Strategy (CEDS) Year 2 Annual Report: Cape Cod Commission staff will review the 2025 Comprehensive Economic Development Strategy (CEDS) Year 2 Annual Report with the Cape Cod Commission. The Cape Cod Commission may vote whether to approve and submit the Year 2 Annual Report to the U.S. Economic Development Administration.

Using Power Point, Chloe Schaeffer, Chief Planner discussed each area of simplified Appropriate Housing Development, Identify & Support Growing Industries, Advance Resilience, Advocate for replacement of Canal Bridges, Water Infrastructure, Incentivizing Year-Round Housing, Invest in Broadband Infrastructure. She reviewed how each of the components have advanced. She said that the evaluation framework consists of qualitative indicators, macro indicators, and program indicators. She reviewed the year 3 action plan that includes the ongoing work and new projects by the CCC.

Commission member questions

The Chair recognized John Druley who said that you mentioned construction disruption. The town of Falmouth is putting in new sewer systems, what would that encompass for the Commission. Ms. Schaefer said that it will look at potential financial assistance for local businesses impacted by the construction. Ms. Perry added that they are looking at opportunities to support the communities with communication strategies and ways in which to better prepare the businesses.

Mr. Druley asked if the Commission has been working on or would consider working on Preapproved plans for duplexes? Ms. Schaefer said that some are 2 unit, but if communities are interested, we could connect them with who we worked with to develop the 50 model plans.

The Chair recognized Ms. Ledec who asked what media outlets the CCC uses to share stories of the accomplishments of this work. Ms. Schaefer said that it goes out in the newsletter, provides updates through the Data Cape Cod website and there are often associated social media postings. Ms. Senatori added that this plan was approved by the Barnstable County Economic Development Council and those members share this information. We try to make sure that these components are highlighted throughout the reporters that we distribute throughout the year and as appropriate we share them with the town. Ms. Ledec feels that we need to inform the public more.

The Chair recognized Doug Fromm who commented that increasing insurance premiums are becoming a huge concern and asked if there is anything that we can do. Ms. Schaefer said that it will be a key part of the study that we are looking to undertake.

The Chair recognized Mr. Grunwald who agrees with Ms. Ledec's comments about keeping the public informed.

The Chair asked for any other comments from members and there were none.

The Chair asked for a motion.

Upon a motion to approve the 2024 Comprehensive Economic Development Strategy (CEDS) Year 2 Annual Report and submit the report to the U.S. Economic Development Administration by Peter Okun, seconded by Michele Vion, the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Yes; Elizabeth Taylor, Yes, Tom Wilson, Yes; Michael McGee, Yes; Michele Vion, Yes; John Druley, Yes; Douglas Fromm, Yes; Peter Okun, Yes; Anne McManus, Yes; Kevin Grunwald, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes;

New Business: Topics not reasonably anticipated by the Chair more than 48 hours before the meeting.

There was no new business.

Meeting Adjourned:

The Chair asked for a motion to adjourn.

Upon a motion to adjourn the Cape Cod Commission at 4:46 p.m. by Dennis Prebensen seconded by Peter Okun the motion carried. Roll call vote was as follows: Catherine Ledec, Yes; Robert Frangieh, Yes; Elizabeth Taylor, Yes, Tom Wilson, Yes; Michael McGee, Yes; Michele Vion, Yes; John Druley, Yes; Douglas Fromm, Yes; Peter Okun, Yes; Anne McManus, Yes; Kevin Grunwald, Yes; David Mead-Fox, Yes; Dennis Prebensen, Yes;

Documents used/submitted at June 11, 2026 Cape Cod Commission Meeting

Cape Cod Commission Meeting Agenda 6/11/26
Draft minutes Cape Cod Commission Meeting, 5/14/26
Draft Cape Cod Commission Nominating Subcommittee meeting from 4/13/26
Falmouth Marine Improvements, Draft Exemption Decision, 6/11/26
Falmouth Marine Improvements, Draft Staff Memo, 6/27/26
Sand Pit Rd ANR Draft Exemption Decision, 6/11/26
Draft 2026 CEDS Annual Report, 6/11/26
Power Point Presentation prepared by Cape Cod Commission staff inclusive of all agenda items

Approved by the Cape Cod Commission on

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