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# THE VISTA

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Volume 1 Number 1

June 2006

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**W**elcome and happy summer to all members! We have been meeting regularly, on your behalf, to gather updated information on issues of interest and concern as they impact our neighborhoods and connections to new business and housing. Our aim is to maintain the neighborly ambiance of our beautiful surrounds, while opening communication with new business and potential new homeowners. Our influence as an organization has tremendous impact on the future development, preservation of, and appreciation of our historic past. Please join us on Saturday, July 29, at 8:30 am at the Falmouth Yacht Club for our annual member's meeting.

## **FALMOUTH ROAD RACE FINISH LINE GARDEN**

The Falmouth Beautification Council has established a memorial garden at the site of the finish line for the Falmouth Road Race. For a limited time, you can purchase an engraved 8"x4" brick that will be placed along the brick pathway at Falmouth Heights Beach, leading to the engraved rock. Each brick is \$100 (\$80 is tax-deductible) and it can be engraved with up to 15 letters/spaces per line, with a maximum of three lines per brick. Applications are available at the Finish Line Garden or from the F.B.C members.

## **AARP ENCOURAGES ONGOING CLEAN-UP**

Local AARP members are encouraging residents to pick up debris in their immediate areas on a regular basis. This would be in addition to the current springtime, town-wide clean-up campaign.

## **WALDEN AVENUE PROPERTY UPDATE**

Four three-bedroom, three bath condominiums have been built on the hillside along the ball field, and one is currently under agreement. Two single-family dwellings are proposed for future building. Members have been observing the progress of this large project and, at one point, questioned the crew with regards to the removal of vegetation along the ballpark line – causing soil runoff onto the field.

### ***Audrey Marzano***

*We wholeheartedly regret the passing of our dear friend, neighbor, and Director of the FHMIA Audrey Marzano. As a member of the Falmouth community, Audrey was a vibrant presence. She is, and will always be, a cherished Falmouth champion. Our deepest condolences go out to Audrey's family.*

## **CASINO UPDATE**

The Casino condominiums are fully embellished and awaiting owners. As officers, we have been permitted to regularly view the property, courtesy of Kinlin Grover Realty. The caveat seems to be the restaurant...still unoccupied. Messina Associates have decided to finish the restaurant, according to their own specifications with the hope of attracting owners who will find finished space more desirable than financing their own renovations. A fine dining establishment has been approved.

## **BRISTOL PROPERTY SOLD – SOME CONCERNS OVER PROPOSED CEMENT/STONE FENCE**

The Bristol beachfront properties have been sold. The new owner, Dr. Stephen Reicheld, initially proposed the building of a 6' cement/stone-faced fence around the property, raising some concerns from neighbors who feel that this would impact the natural surroundings of the neighborhood. Dr. Reicheld has graciously offered to defer on the fence in light of neighborhood resistance.

## **NEW HISTORICAL APPRECIATION COMMITTEE**

We are excited to introduce this new committee chaired by Ellen Hanley and co-chaired by Kevin Smith, which includes Winnie Grant and Nellie Emigh. Winnie's daughter, Drawdé Geishecker, graciously offered her time and computer expertise to help produce the beautiful brochure you have received.

## **LITTLE BEACH – END OF MARAVISTA**

The Town plans to take action with regard to the issue of wall encroachment on town beach property, following a letter dated March 28, 2006 and a subsequent visit to the town administrator by members of our own Board.

## **CHERYL WILLIAMS FROM THE TEATICKET ASSOCIATION, APPEALING LARGE PROJECT**

Cheryl gave us an informative update on the Spring Bars Road 40B project – Little Pond Landing – which has been approved by the Falmouth ZBA. The FHMA directors have voted to support the Teaticket Association in their appeal. Those wishing to support this issue should contact Cheryl Williams directly or visit her website at [www.savelittlepond.org](http://www.savelittlepond.org).

*Please remember our annual meeting on Saturday, July 29, beginning at 8:30 am at the Falmouth Yacht Club*

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For further information about these articles, or any other issue impacting Falmouth Heights or Maravista, please contact Marge Maurukas, our Director of Communications, at (978) 302-0434.

*President:* Winifred Grant

*Vice President:* Marge Maurukas

*Treasurer:* Kevin Smith

*Secretary:* Ellen Hanley

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# The Vista

Volume 2 \* Number 1 \* February 2007

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**G**reetings from the board of the FHMIA. We are happy to have this opportunity to keep you informed of our activities and invite you to become involved in our organization.

## Welcome Sign Stolen

The sign "Welcome to Historic Falmouth Heights" was stolen from its site sometime in January. The sign had been in place at the intersection of Grand Ave. and Falmouth Heights Road in 2002 to welcome visitors and give a brief history as "Cape Cod's first planned summer resort." We have offered a reward for the return of the sign but have had no response thus far.

## Casino Restaurant Opens

The Casino FX restaurant opened in late November. Offering fine dining, the restaurant offers a varied menu in a spacious, tastefully modern ambiance. Some of the comments expressed by residents have been directed at the brightly lit sign and the valet drop area, which apparently occupies two metered parking spaces. A Teaticket association member is looking into this matter.

## Ballpark Vending Machines Removed

The vending machines on the ballpark were in violation of town by-laws. They have been removed and we have requested of the Park department that plantings be installed to replace them.

## DPW Responds to Maravista Sidewalk Issue

Following a meeting by board members with the Public Works Department to vocalize safety concerns, the DPW responded with the intention to replace the sidewalk on Maravista Avenue this spring.

## Worcester Park Flag Pole Lighting

This spring, a spotlight attached to an existing pole will be installed to illuminate the flag on Worcester Court.

## Glen Dawson Beautifies Traffic Island

Past FHMIA director Glen Dawson has been maintaining the flower bed on the Falmouth Heights Road site for many years. He voluntarily gives generously of his time and accepts no reimbursement for his services. We thank him sincerely for his contribution to our community.





### **Trees Removed From Ballpark**

We are saddened by the removal of trees from the top of the ballpark from the center of the field toward Grand Ave. South.

### **Shower Installation at Heights Beach**

We are working with the Beach Committee, DPW, and Conservation Committee to have a shower unit installed at the beach. The Bouse House again will be in place this summer, however, it will be moved to a different location, away from the condo/restaurant area.

### **Vernon Beach Sign to be Replaced**

The sign reminding visitors to pick up their own trash came down during a storm. It will be replaced this spring.

### **4th of July Concerns Addressed**

The Fireworks Committee and the Police Department have been made aware of improper behavior during the fireworks display and have agreed to work with us to discourage future incidents. Littering, vandalism, and rowdiness have been concerns of residents.

### **Letter of Complaint Sent to Court Regarding Little Beach**

A letter of complaint has been filed in court protesting the wall which has been erected by a private contractor as part of a home building project. There is sufficient evidence to support that Little Beach public property has been illegally encroached upon. This has been an arduous issue, particularly for local residents who use the beach regularly.

### **Spring Clean-Up**

The spring town-wide clean-up will take place from April 28 through May 5. Please contribute to this effort. Flyers will be posted around town with further information.

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For further information about these articles, please contact Marge Maurukas at 978-448-2677 or [margchef@charter.net](mailto:margchef@charter.net)

President: Winifred Grant

Vice President: Marge Maurukas

Treasurer: Kevin Smith

Secretary: Ellen Hanley

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ATTACHMENT  
TO  
FEB VISTA

To: Members, Falmouth Heights/Marivista Improvement Association  
From: Falmouth Harbor Neighbors  
Date: February, 2007  
RE: MacDougalls and the future of Falmouth Harbor

We need your help!

When MacDougalls installed their red shed, a number of neighbors protested and eventually met with MacDougalls, to no avail. While we may not be able to get the red color changed, we can at least organize to protect the Harbor in the future and get MacDougalls to soften the effect.

Are you interested?

If so, please contact Paula Lichter, 508-548-8899, [paulalouise1@verizon.net](mailto:paulalouise1@verizon.net), to let her know the answers to the following questions.

(Even if you're not interested in joining our group, we'd like to have your answer to the first two questions. You will remain anonymous in our survey results.)

- 1) Do you like or dislike the red color of MacDougalls new shed? If you haven't seen it, just drive up Deacons or Scranton Avenues. You can't miss it. Or, email Paula for a picture.

Like    Dislike

- 2) Do you agree or disagree with the following:

I agree that the color of MacDougalls new red boat shed needs to be softened. I strongly support the request of the Design Review Committee, in their letter of October 11, 2006, to "minimize the impact of the color" and "diffuse the size" of the new red shed through "a maximum of windows" to be installed, the use of "white trim, and landscape" or other options.

Agree    Disagree

- 2) Do you want to be part of an informal email Harbor neighborhood group to keep informed about MacDougalls and any other building/changes around Falmouth Harbor? The major breakdown which allowed MacDougalls to proceed with the red color without protest was that no one from the community was present at the September 28, 2005 DRC meeting (see summary attached). We don't want this to happen again. If you don't have email, you could become a member and we'll work out how to communicate.

Yes    No

- 3) Can you go to a Town meeting? We plan to send at least one person to any Town meeting involving any property situated around the Harbor. If just one person from the community was at the open Design Review Committee meeting in Sept 2005, we would have had time to contest the DRC decision to approve MacDougalls' red siding.

Yes    No

- 4) Can you make any phone calls to reach other abutters and neighbors? We've reached about 40 and have 100 left. Even 5 phone calls would help. We would provide a script. We need to bring people up-to-date and ask them these questions, get their email and other information.

Yes    No    How many? \_\_\_\_\_

- 5) Can you come to the Public Hearings on Wednesday, 2/21, 6:30 (Zoning Board of Appeals) and Tuesday 2/13 at 7:30 (Planning Dept) in Town Hall, regarding MacDougalls' latest variance request? See Summary #8.



Since the red siding was installed in September, 2006, we have researched the issue at Town Hall, spoken with a Falmouth attorney, and met with the owner of MacDougalls. MacDougalls is now asking for another variance to the plans approved in 2004.

1) Forty-eight out of 50 people we spoke with the weekend the red siding was installed did not like the red. Feelings ranged from being slightly perturbed to being horrified. Some people thought the Harbor has been ruined and others were surprised the Town would allow it. As a result, some of those whose view has been directly affected have petitioned the Town for a tax rebate. Unfortunately, rebates are based on buildings existing on January 1, so any rebate because of the red shed won't be considered until the bill after January 1, 2007.

2) MacDougalls followed legal channels to get the red approved. They showed a picture of a red boat yard in Maine to the Design Review Commission (DRC) on Sept 28, 2005. There were no members of the community present at that open meeting. The DRC then sent an approval letter to the Zoning Board of Appeals.

3) The DRC is advisory, not regulatory, but they could have either notified the Historical Commission or called for a Public Hearing, because the color is so unusual for the Harbor. In fact, the DRC mandate includes viewing projects for compatibility with the neighborhood. Unfortunately, they didn't do any of this. Had there been a Public Hearing, or a strong outcry from the community, it is possible that MacDougalls might have chosen a more compatible color, though they did have the legal right to choose red.

4) The Zoning Board of Appeals has a limit of 20 days from any decision for an appeal. Since the community never heard about the color, which was a change from the original plan to use gray, there was no appeal filed. By the time the red appeared, it was a year too late.

5) A local, knowledgeable and experienced, attorney has advised us that we have no basis for a legal suit to either require MacDougalls to change the color nor sanction the DRC for its lack of judgment and failure to meet its mandate.

6) There was an article in the Falmouth Enterprise on October 6, 2006 entitled "Red Monster Too Much for Neighbors of Falmouth Harbor Marina", summarizing the community response and quoting the Chairman of the DRC calling the color "obnoxious" and "we have learned a lesson".

7) On October 13, 2006, two residents of Deacons Ave and one Director of the Falmouth Heights Marivista Neighborhood Improvement Association met with the owner of MacDougalls, their General Manager, and the Project Manager of the renovation. It was clear that the neighborhood's negative response to the red had been a complete surprise to MacDougalls. They love the color and spent a long time choosing it, and probably would not re-skin the metal building with a new color even if we were able to raise the \$250,000 cost to do so. However, they did say they don't "want to be the bad guys" and said (though didn't promise) they are willing to soften the impact of the color. Possibilities discussed were adding more windows and landscaping. It was resolved to meet again after the shell of the building is complete, as only 2/3rds of the windows and doors had been installed.

8) **There are 2 PUBLIC HEARINGS scheduled for Tuesday, Feb. 13, 7:30 (Planning Dept) and Wednesday, Feb. 21, 2007, 6:30 (Zoning Board of Appeals) at Town Hall to review MacDougalls new request to add 50' to the building on Grand Ave/Falmouth Heights Road,** extending the building closer to Deacons Ave and the existing Rigging Building. Although this extension would not effect anyone's view, we have called for a strong showing at the Public Hearings to send the message that the community has been organized and will remain active.



# The Vista

Volume 3 \*Number 1\* July 2007

Summer greetings from all of us on the board. We hope this newsletter serves to inform you of the important issues we have been addressing over the past year, and, as always, we welcome your participation and appreciate your membership.

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Please mark your calendar for our annual meeting to be held at 8:30 AM on Saturday, August 4, 2007 at the Falmouth Yacht Club

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**FHMVIA Officers**  
**President: Winnie Grant**  
**Vice President: Marge Maurukas**  
**Secretary: Ellen Hanley**  
**Treasurer: Kevin Smith**

## **Spring Clean-Up Successful**

The annual town cleanup once again proved to be a successful endeavor. Please remember that this is an ongoing process and we ask that everyone make the effort to keep our neighborhoods clean.

## **Heights Beach Additions**

A shower unit should be available to beachgoers by the end of July, pending appropriate permits. In addition, a small concession unit has been in place since the beginning of the summer. We welcome any feedback relating to these facilities and hope that their addition to the beach area will be attractive to residents and guests.

## **Sign Replaced**

The "Welcome to Falmouth Heights" sign that was taken from its location on Falmouth Heights Road has been replaced with a new one. Attempts to recover the original sign, including a reward incentive, were unsuccessful. We continue to appreciate the work of Glen Dawson with the beautification and maintenance of this area.

## **Worcester Court Flag Lighting**

Residents of Worcester Court have decided to seek alternative lighting for the flag on Worcester Court park. Previous attempts to illuminate the flag have not been appropriate for the neighborhood.

## **4<sup>th</sup> Festivities to be Monitored**

Police will be more visible this year for the 4<sup>th</sup> of July celebration, following growing concerns around safety and behavior issues. Police will be on foot not only along the waterfront, but also on side streets where crowds mobilize to enter and exit the beach area. In addition, a portable toilet will be installed and parking issues will be addressed. We ask that you provide us with feedback following the fireworks, so that we can continue to work with the police on this issue.

## **Ball Field Fencing**

New fencing is being installed along the perimeter of the ball field in Falmouth Heights, replacing the aged wood fencing.

### **Maravista Sidewalk Replacement**

The Highway Superintendent of the DPW has been contacted and is aware of the poor condition of sidewalks along Maravista Ave. We have been informed that a new and complete sidewalk will be installed sometime this year. However, we remain concerned about areas that are in extremely poor shape and urge everyone to use caution in these areas.

### **Sabatino's Opening Soon**

Sabatino's bakery has moved to the former site of KK Codders on Falmouth Heights Road and appears to be approaching an opening date.

KK Codders has moved to Davis Straits Road.

### **Little Beach Case in Court**

The case involving the encroachment of public land for personal use is now in the state land court. This case has been closely monitored by residents in the Maravista area, particularly those who use the beach regularly. We will continue to monitor the progress of this case.

### **Quiet Roads Committee Forms**

About 14 members have mobilized on the issue of excessive motorcycle noise, primarily residents along the ocean stretch from Woods Hole to Falmouth Heights.

The police have purchased sound measurement equipment and will be working to enforce noise restriction regulations.