



# Town of Mashpee

# Department of Public Works

350 Meetinghouse Road  
Mashpee, Massachusetts 02649  
Telephone - (508) 539-1420  
[www.mashpeema.gov](http://www.mashpeema.gov)

April 24, 2024

RE: Article 33, May 2024 Annual Town Meeting  
Proposed Private to Public Road Conversion

To South Cape Homeowners Association members:

At the Town's recommendation, the above article will be moved for indefinite postponement at Town Meeting on May 6, 2024.


It was recently brought to my attention that there are changes in the MA wetland regulations that may have an impact on the cost of the required road improvements for the conversion. The roads in South Cape Estates are located in their entirety in the 100-year floodplain. The MA Department of Environmental Protection (DEP) confirmed that the project would have to file a Notice of Intent and would have to comply with their stormwater standards. The proposed changes to the DEP regulation are increasing these standards. While the project estimate does include a budget for drainage improvements, it is difficult at this point to know whether the budget would be sufficient. The postponement of the article will allow time for DPW to review the estimate in light of this new information.

As you may recall from the public hearing held by the Select Board on the project prior to submission of the second petition, the estimate provided by the Town is the maximum cost that can be included in a betterment to the property owners. Any construction costs above this amount would have to be paid by the Town. The Select Board and Finance Committee cannot commit the Town to these potential costs and therefore, voted not to support the article. As a negative vote at Town Meeting would result in a 2-year moratorium on future consideration of the road conversion and would require the process to restart at the beginning, the recommendation for indefinite postponement was made.

DPW with our engineer will be reevaluating the project estimate over the next month. While there will still not be engineering design plans for the drainage (the 1<sup>st</sup> petition does not fund these plans), the estimate can be adjusted if necessary to allow additional funds for permitting and engineering design as well as a higher contingency for the project to cover any unanticipated costs. The estimate may not change, but if it is greater, a new public hearing with the Select Board would be required and a new second petition would have to be submitted. Whether a new public hearing is required or not, it is expected that a vote on the road conversion could be scheduled as soon as the Town's October Town Meeting.

Please do not hesitate to contact me if you have any questions at [claurent@mashpeema.gov](mailto:claurent@mashpeema.gov).

Sincerely,

  
Catherine Laurent  
Director