

RECEIVED

2021 NOV 24 AM 9: 52

TOWN CLERK BOURNE

Conservation Commission

Meeting Minutes

Zoom Meeting Platform

October 21, 2021

I. Call to Order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00PM on Thursday October 21, 2021, held via Zoom Platform. Chm. Gray explained all reviews, unless otherwise stated are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131 § 40, Article 3.7 of the Town of Bourne Wetlands Protection Bylaw. If the Act or the Bylaw don't mutually apply to the review, it will be indicated at the time of review which instrument of law they will be reviewed under.

Note: The meeting was being held via the Zoom platform, and was being recorded, as noted per the "Recording in Progress" icon that was displayed. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed, and other items not listed may be discussed due to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members present: Bob Gray, Paul Szwed, and Greg Berman, Rob Palumbo

Excused Members: Elise Leduc, Tom Ligor, Peter Holmes, Steve Solbo

Others in Attendance: Sam Haines, Michele Scaife, Theresa Sprague, Mike Borselli, "Christine's iPad," Susan Bodington, John York, Steven Frank, "Grace," Richard Selby, William Grant.

Continuances:

Jonathan and Carol Pettee Family Trustees
68 Rocky Point Road -- Continued to November 4, 2021

Champe A. Fisher, Jr.
4 Fisher Lane -- Continued to November 4, 2021

Sarah E. Fisher
8 Fisher Lane -- Continued to November 4, 2021

Andrew Laurence
83 Elgin Road -- Continued to November 4, 2021

Cape and Islands Engineering
96 Megansett Road (both projects for this address) -- Continued to November 4,
2021

Kimberly Morneau
268 Shore Road -- Continued to November 4, 2021

Notice of Intent:

1. Applicant: Susan Bodington
Address: 48 Chickadee Lane, Pocasset
Representative: Falmouth Engineering, Inc.
File Number: SE7-2169

Proposed timber bulkhead and access stairs.

Mike Borselli addresses the board and requests to share his screen. Mr. Borselli then notes the issues that were brought up at the September 16, 2021 meeting, and how they have been addressed with revisions of the plans. The first revision that was made was that the Rivers Act ramifications and performance standards were discussed, including the information that the coastal rivers are “lumped in” with the Rivers Act. An Alternatives Analysis was also conducted. There was discussion regarding 310 CMR 10.30 and how the project qualifies to have the bank armored with a wall; the dwelling was constructed prior to 1978, and the structure is only about 15’ from the top of the bank, as well as there being erosion at the toe. Mr. Borselli states that while there is sediment from erosion, it is very minor. The property is flanked on both sides by retaining walls. He addresses that the applicant is actually in the audience, and references a project that was approved, not overly long ago, for a similar proposed plan with a similar wall. Revisions to the plan were made, including adding the spring high tide level. It was previously discussed whether the proposed plan area was actually salt marsh or rocky beach. For the purpose of this project, the property is being treated as a salt marsh. The proposed wall plan was shifted landward, away from the salt marsh. Mr. Borselli states that the applicant is attempting to take advantage of a similar project that is being presented to the board for an adjacent property, in order to limit the disturbance to the area. He opens the discussion to questions.

Agent comment: Mr. Haines responds to the revised plan and Mr. Borselli's presentation. Mr. Haines states that he understands the plan, being that the rest of the river in the proposed area is armored, also mentioning that if it were his property, he would likely want his property armored as well. Mr. Haines proceeds to state that he does not believe that this project is in compliance with the River Front Act. He believes that the majority of the erosion on the property is not caused by wave action from the river, but by up-gradient drainage from the top of the bank and neighboring properties. Mr. Haines also states that he does not believe that the Alternatives Analysis presented was sufficient. There was not enough information provided, namely whether there could be erosion control fabrics or alternative plantings placed to assist with the erosion being caused by the drainage on the bank. The up-gradient fixes for the drainage were not discussed. Mr. Haines also states that 2:1 mitigation in the river front area was not discussed in the plan either, which is required for any area that is within the river front area that is not re-development. It was previously discussed that the areas that were believed to be beach are likely actually salt marsh that have been disturbed by human alteration and foot traffic, which proposed the plan to co-locate the proposed stairs with the outhaul. Mr. Haines does address the applicant's argument stating that the Commission did grant the adjacent property at 27 Robin Lane to extend their timber sea wall without mitigation in 2010. He completes his discussion by stating he does not believe the proposed plan meets the requirements of the River Front Act.

Mr. Borselli responds with permission of Chm. Gray. He questions whether if 2:1 mitigation is provided, if the project would then meet the standards required by the Commission? Mr. Haines states that that would be just one of the reasons that the plan would meet the standards. Mr. Borselli thanks Mr. Haines, and proceeds with an additional comment. He would like to provide clarification that the original plan did mention the possibility of coir rolls, but there was not enough room to install the coir in the vegetation without causing more disturbance than would be required from just installing the vertical wall. He just requested to provide clarification regarding that matter. He then states that the proposed stairway was being placed in the location of the current stairway as it would make the most sense. Mr. Borselli states they would be willing to shift the stairs to an alternative location (i.e. near the outhaul). He also states that if the Commission were not to approve the installation of the vertical wall, that he would request they consider allowing for a replacement set of stairs, which would be elevated, in order prevent further foot traffic from disturbing the salt marsh. Mr. Haines comments that if they were not to move forward with the wall, it would likely make more sense to keep the stairs where they are currently. If the wall were to be approved, it would just make more sense to move them closer to the outhaul. Mr. Borselli thanks the board.

Member comment: Mr. Berman agrees that it would make more sense to move the stairs toward the outhaul in order to prevent more disturbance to the salt marsh if the proposed project of the wall is approved. He then comments on the erosion likely being caused more from the

upland side, from either surface runoff, logs that were located along one side of the property, or runoff from some of the adjacent properties. He states also that the Pocasset River is a low energy, and likely a low erosional environment. He believes the low erosional scarp along the toe of the bank could be better addressed by a core or non-vertical structure. Mr. Palumbo agrees with Mr. Haines and Mr. Berman regarding the erosion. He mentions that at the bottom of the toe, the bank is almost segmented. He would recommend possibly seeing the wall moved even closer to the house. Mr. Haines confirms that the plan was discussed to possibly move the wall closer to the home, and allow for mitigation by creating more salt marsh habitat, which was discussed at the site visit. Mr. Borselli mentions that the representative was unfortunately unable to participate in the site visit. No additional member comments.

Public comment: Ms. Bodington addresses the board. She states that the application was being brought to the board due to the neighbor (the Franks) planning to reconstruct and replace their wall, which comes on to Ms. Bodington's property. She believes that it would be better for the river and salt marsh to do construct both walls at one time. Ms. Bodington also states that the beach that is believed to be a salt marsh has been a beach since 1950, as her aunt and uncle previously owned the home. She is very concerned about the river, marsh, and wildlife, and states that she loves it and does want to protect it. When she was rebuilding the house after obtaining it from her aunt and uncle, she had met with the Commission, mentioning a previous agent, who had recommended adding plantings on the bank, and she states those plantings were done, and even more were planted than recommended. She also mentions previous concrete steps that were placed going down to the river, that had washed away due to the water level rising. She thanks the Commission.

Chm. Gray addresses Mr. Borselli, inquiring what he may be able to do in order to bring this project into compliance with the River Front Act. Mr. Borselli requests clarification regarding the 2:1 mitigation recommendation. Mr. Haines provides clarification, stating it would encompass the area of all altered areas, including the stairs, the wall, and any alteration of the bank. Mr. Borselli believes there is opportunity to carry that out, as well as moving the stairs to the outhaul area. Ms. Bodington comments, stating that she is more than happy to comply with the 2:1 mitigation, but does express concern regarding moving the stairs to the outhaul location, as it is considerably steeper than where the stairs are located right now. Mr. Haines requests clarification regarding the height of the wall, as that may negate the steepness factor, being that the wall would make everything the same steepness. Mr. Borselli confirms. Mr. Haines states that the impact on the marsh would be lesser if the stairs were to be moved closer to the outhaul location. Chm. Gray requests Mr. Borselli to address the issue of upland erosion. Mr. Borselli states there is an older stone waterway that was installed in the late 70's, but he did not see significant erosion from surface water. He does state there are opportunities to provide mitigation for the upland runoff. He states the wall could be lined with crushed stone on the back side, and the increase in vegetation with the mitigation plan would also provide some

filtration as well. Mr. Palumbo comments stating that on one side of the property (44 Chickadee Lane), there was water noted to be coming down along the property line, and then curling into the property in question. Mr. Haines states that all of the erosion is from both ends of the sea walls from up-gradient surface water. He states that the erosion rate otherwise is very minimal, and does not believe there is any imminent risk to the bank from erosion. Mr. Berman comments that he is not opposed to a better stairway, closer to the outhaul. He does not believe that a wall is warranted. While he does sympathize with the applicant, he believes there is a lot of surface runoff coming from neighboring properties, and does not believe the erosion is coming from the river front. He states that the river front area is so protected, with there being minimal wave action. He does believe there can be toe protection provided in manners other than the proposed wall, and that if the surface runoff can be mitigated, that would be helpful as well. Chm. Gray inquires what Mr. Borselli's plan would be. Mr. Borselli believes it would be best to continue to the next meeting on November 18, 2021.

Additional public comment: None

Additional member comment: None

Continuance requested for November 18, 2021 as agreed upon by the board and the representative.

2. Applicant: Steven Frank, Frank Family Realty Trust
Address: 52 Chickadee Lane, Pocasset
Representative: Falmouth Engineering, Inc.
File Number: SE7-2168

Proposed timber bulkhead, pier reconstruction.

Mike Borselli addresses the board and requests to share his screen. Mr. Borselli then notes the issues that were brought up at the September 16, 2021 meeting, and how they have been addressed with revisions of the plans. A letter was submitted with the plans of the project regarding the matters related to the river front area. He states that this project differs from the previous proposed project at 48 Chickadee Lane in that there is currently an existing, and preapproved timber bulkhead at the 52 Chickadee Lane property. The plan is proposing to replace the existing, previously proposed wall. The original plan proposed timber pilings at the end of the pier that would attach to the pilings that are on the existing wall. The revision included pipes with a lighter weight section to make the pier seasonal. If the new wall is built, the pier would be elevated providing both more separation from the salt marsh, as well as public access. The new pier would be attached to the new wall, and the new ramp would then come down from the pier to the new float. Additional plan revisions included adding the highest

spring tide, shifting the bulkhead landward of the highest spring tide, and keeping the bulkhead within the existing footprint of the wall. Notation was also added to include mention of removing the existing cobbles, and additional materials to allow the salt marsh to regenerate to the edge of the new proposed wall. The licensed ramp and float (license #5556) to the plan as well. It was also noted on the updated plan that the entire property is located within the River Front Area. Proposal to add native plantings was added to the plan, with an exception of the break for access to the pier. The only concern with the plant material is that the owner would like to avoid vegetation that would be so tall it would interfere with the view. Mr. Borselli concludes his presentation.

Agent comment: Mr. Haines believes that the updated plan does do “some good things,” addressing the proposed plan updates noted above (additional buffer, removal of cobbles, and a now seasonal pier with less pilings). Mr. Haines does state that the issue with the updated plan is that it does not address the up-gradient storm drainage issue that is arising from the neighboring property. Mr. Haines states that he is unable to support this project until that part of the plan is addressed as he believes until they are addressed, there will continue to be adverse impact on the coastal bank. Some solutions mentioned include roof runoffs going into drywells, additional drainage at the end of the driveway, and the swale that is present is removed and re-vegetated. Mr. Borselli requests to reply. Mr. Borselli does not believe that the stone swale is causing any further issues, as it has been there since the 1970s. He does respond as well with an alternative plan to place crushed stone behind the wall, and states that the wall will be mitigating any further erosion from the runoff coming off the driveway. He believes as well that if the wall at the 48 Chickadee is approved, the wall would continue seamlessly to the 52 Chickadee Lane wall, aiding in preventing further erosion as well. If the 48 Chickadee Lane wall is not approved, there is an alternative plan for the 52 Chickadee Lane wall to be constructed in a manner to prevent the surface waters from contributing to erosion. Chm. Gray requests clarification regarding the swale. Mr. Borselli states that the swale would lead water down to trap rock, and with a new wall, the water would hit the wall, run down the back side of the wall and then percolate through the crushed stone behind the wall, having the wall act as a dam. Mr. Haines disagrees. He states that all of the drainage from the road and the house goes down the driveway, to the stone swale, runs off the wall, and then runs onto the abutting property as noted by the site visit. He believes that the swale was put in to assist drainage in going toward the coastal bank, which should instead be addressed from the up-gradient side. Mr. Borselli states that the water from Chickadee Lane runs through the Frank property (52 Chickadee Lane) and they attempted to mitigate that. They do have the option to put in drains if necessary, or drywells, and he could discuss this further with the homeowner. Chm. Gray questions whether there may be a possibility of proposing a sump pump at the end of the driveway, or a 4’ to 6’ catch area with pea stone. Mr. Borselli states there is likely possibility of doing this, he would need to discuss it with the applicant.

Member Comment: Mr. Berman states that are parts of this project he really likes. Removing the rocks from the marsh, and removing the creosote timbers. He does also state that while he is typically not in favor of vertical structures, where this location is such a minor-wave area, and that there is an existing vertical structure in place already, he is in agreeance with a vertical structure replacement. He then mentions the rock swale, and requests to show photos that he took during a site visit. He states that the entire driveway and the roof runoff came down and then right over the top of the bank, and requests it being addressed further upland. Mr. Palumbo also suggests addressing the runoff further upland. No additional member comment.

Public Comment: Mr. Frank comments on the drainage that has come from Barlow's Landing, and the entire neighborhood in the past from hurricanes, etc, stating it was very dramatic. He states that he is on board with removing the swale and putting a dry well in. No further public comment.

Continuance requested for November 18, 2021 as agreed upon by the board and the representative.

3. Applicant: Frances McSherry and Carl Nelson, Pamela B. Nelson Trustees
Address: 249 Scraggy Neck Road, Cataumet
Representative: BlueFlax Design, LLC
File Number: **NOT AVAILABLE**

A concurrent presentation with:

4. Applicant: Frances McSherry and Carl Nelson, Pamela B. Nelson Trustees
Address 251 Scraggy Neck Road, Cataumet
Representative: BlueFlax Design, LLC
File Number: **NOT AVAILABLE**

To remove invasive vegetation, restore native vegetation, manage vistas within a V Flood Zone, and within 100' of a wetland resource area. Both applications continued from June 3, 2021.

Ms. Theresa Sprague requests to share her screen and present both applications together as they are very heavily involved with one another. Requests approved by Chm. Gray. Ms. Sprague reviews existing conditions on the site. She notes the wetland resources on the property include salt marsh and a coastal bank, and a velocity zone at elevation 17, and both dwellings fall within the 50' Buffer Zone to the top of the coastal bank. The project is broken down in four areas. Ms. Sprague starts with the area denoted "Area 1," the westernmost area, located in the southwestern corner of the property at 251 Scraggy Neck, which would include the least amount

of management. Ms. Sprague states there is a significant amount of existing native vegetation, as well as a significant amount of cut vegetation debris. There is green briar that is coming up in the disturbed areas, and an undisturbed duff layer in that area. There are native shrubs that are in poor shape, but Ms. Sprague does believe they can be brought back with some regenerative pruning. Ms. Sprague then moves on to the area designated "Area 2," moving to the east, and just south of the dwelling at 251 Scraggy Neck. This area consists primarily of lawn. Ms. Sprague notes that this entire area had been managed for a multitude of years as meadow, so it was completely mown to the ground. There has been a recommendation made to the property owners to no longer mow or cut this area, and there is a significant amount of both invasive as well as native species growing back and being recognized in the area. Native vegetation is proposed to be replanted. Diseased trees are proposed to be removed. Attention is then turned to the area designated "Area 3," just east and upward on the coastal bank moving onto the property of 249 Scraggy Neck. There is an area that falls within an existing view corridor that had been historically maintained that lies within the top of the bank and salt marsh. It was noted that some trees have been cut back, and not by the best pruning practices, and has in turn diminished the health of the trees. There is a small amount of invasive species. An existing heavy duff layer is noted, with no heavy ground cover layer noted, but no signs of erosion in this area. This area is at a low elevation, which would allow the taller trees to remain with minimal vista pruning. It is also being proposed to remove invasive vegetation, and reintroduce native vegetation. Ms. Sprague conclusively addresses the area designated "Area 4," the area closest to the dwelling at 249 Scraggy Neck. Ms. Sprague believes this area has suffered the most disturbance. There are some invasive species noted in this area, but believed to be no more than 10% of the area. Ms. Sprague then makes mention that the views have been maintained over 60 years by the family. Best pruning practices cannot be initiated on the trees in this area due to how they have been previously maintained. The proposed plan in this area is to plant native vegetation and shrubs that do not require pruning which will allow the plantings to reach mature pruning size. The main goals and objectives of the project are to protect the resource areas, and improve integrity of the resource area buffer zones, and to maintain the existing view corridors. The first two goals would be done by managing invasive plant species, enhancing the native plant species, and in the steeper areas, preventing erosion by way of biodegradable erosion-control blanketing. The maintenance of the view corridors would be fulfilled by initiating best pruning practices, as well as introducing a new native plant community that would not need to be pruned, disturbed or maintained in order to uphold the current view corridors. There are no estimated or priority habitats in any of these areas according to Natural Heritage and Endangered Species. A total of 328 native shrubs and 10 trees are proposed to be planted in the areas, and the maintenance will be followed up on over the three year timeline that has been included in the land management plan. Ms. Sprague opens the discussion to questions.

Agent Comment: Mr. Haines starts his comments with Area 4, stating that the vista pruning has been over pruned over the years. He has no issue with the trees and shrubs being

removed as the impact on the salt marsh and coastal bank would be minimal. He would propose erosion control at the bottom of the slopes if there is going to be grubbing. Mr. Haines then addresses Areas 2 and 3 with concerns of the tree height maintenance. Where the slopes are fairly steep, he would request a maintenance height to be added to the plan for the trees in these areas. Area 2 was originally proposed to be turned back into meadow, and agrees with turning that area back into a woody area, with some pruning. He has no issues with the proposal for Area 1. He believes that it is very important to protect this area from erosion, as “it is one of the highest ecological value areas in the town of Bourne.” He likes this proposal much better than the original plan from June 3 2021.

Member Comment: Mr. Berman commends the plan. He mentions the original plan being aggressive, and believes the amended proposal is an improvement. He agrees with Mr. Haines in providing a tree maintenance height on the plans. He also believes the property owners would benefit from a 10’ to 15’ tree line at the bottom of their property as there is a quite a bit of foot traffic in the area at the bottom of the property, being that it is public. Mr. Palumbo comments that he believes it is great. Mr. Szwed comments on the eastern edge of Area 4. He believed that there were previously healthy, mature trees along the edge of the view corridor he is questioning whether the status of these trees has changed. Ms. Sprague states that there was a change in the location and size of the view corridor. There is an area on the plan that denotes the healthy canopy that is not proposed to be managed in any way. Mr. Haines states that the plan has so much going on, but following a site visit, the plan brought into perspective and seemed to be “less heavy” than what was originally proposed. Ms. Sprague provides clarification regarding a view corridor that was proposed to be wider between the two properties. It was decided between the representative and the applicant that that area no longer needs to be pruned to the extent previously proposed by the plan.

Continuance requested for November 4, 2021 as agreed upon by the board and the representative.

Certificate of Compliance:

1. Applicant: Katherine Burke
Address: 219 Scraggy Neck Road, Cataumet
Representative: Falmouth Engineering, Inc.
File Number: SE7-2073

House renovations, including construction of a second story on a portion of the house, construction of a screened porch, and re-construction of decks.

Chm. Gray questions whether a site visit was made to this property. Mr. Haines states he did make a site visit this past Tuesday, and sees no issues. He recommends issuing the Certificate of Compliance.

Motion made by Mr. Palumbo and seconded by Mr. Szwed to grant the Certificate of Compliance.

Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. **Certificate of Compliance granted with a 4-0-0 vote.**

Vote to excuse absent members:

Motion made by Mr. Palumbo and seconded by Mr. Szwed.

Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. **Motion carries 4-0-0.**

Enforcements:

1. Address: 81 Phillips Road

Mr. Haines states this violation has been going on since March 2020. The owner re-graded an area, removed landscaping, and built a stone wall in a location that is considered a coastal dune. He states that he has discussed with a lawyer, and the property owner is requesting an extension to consult with an engineer, but no paperwork has come through signed stating that they are working with another engineer. Mr. Haines would like to have a restoration plan in place for that site which would include regrading and revegetating the coastal bank. Chm. Gray requests clarification whether the property is coastal bank or coastal dune on the DEP mapping. Mr. Haines believes that the lot is considered barrier beach, making it coastal dune. Chm. Gray states that if it is considered coastal dune, a wall cannot be built on a coastal dune, and putting forward a Notice of Intent would not be appropriate. Mr. Haines states that he did discuss the fact that a wall cannot be built on a coastal dune with the property owner, and it would not be permitted. There is also an open Order of Conditions of this property as well, and they are in violation of the Order of Conditions. This property also had a set of stairs that were built on town property as well, which were required to be removed per the Order of Conditions. A Violation Letter was issued. Chm. Gray requests Mr. Berman's input regarding whether this would be allowed if the property is a barrier beach with a dune on the seaward side. Mr. Berman states "absolutely not" if it is a primary frontal dune or a beach, on which a revetment is not allowed. Mr. Haines suggests going to enforcement and requiring a restoration plan. Mr. Berman does state that enforcement can be brought in as

long as the violation is worse than what was previously existing. Mr. Haines states that the area was previously a vegetated, sandy slope, which would not meet the definition of “worse than what was previously existing.”

Motion made by Mr. Palumbo and seconded by Mr. Szwed to prepare an enforcement order.

Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. **Motion carries 4-0-0.**

2. Address: 9 Pleasure Point Road

Property owner was having flooding in her basement. She filled an intermittent stream/ditch with filter fabric and pea stone. She also cleared land that was in Conservation property and turned it into lawn, which was in the wetland Buffer. The fabric and pea stone has been removed, and hay has been placed in the restricted area. Mr. Haines believes that this site should have an extension. Chm. Gray states that there was work being done in this subdivision in wetland areas. Conservation restriction plans were found, and portions of those restriction boundaries are on 9 Pleasure Point Road. Mr. Haines does believe they have the ability to bring the area back into compliance. Chm. Gray believes that when the Cape Cod Canal was created, it cut off a wetland system in this area. Much of the wetland area had dried out for this reason.

3. Address: 210 Clipper Road

Dune was cleared and drainage was going to be initiated to drain the driveway. Plan was discontinued in order to devise an improved drainage plan. The site was revisited recently and is completely grown back in and looks well per Mr. Haines. Mr. Haines believes this site should just be put on the watch list to ensure the owner does not proceed with anything at a later time.

4. Address: 154 Phillips Road

Clearing on a barrier beach that was not permitted. Homeowner is attempting to reach an engineer or surveyor. She has been cooperative. Mr. Haines suggests putting this on a watch list as well due to current restrictions and limitations. Chm. Gray notes that 158 Phillips Road, 182 Phillips Road, and 196 Phillips Road are showing as vacant lots on the DEP site are showing as vacant lots. Chm. Gray requests clarification whether the foundation would be timber pilings in these areas. Mr. Haines believes they would not be able to be built on at all, unless it was an improvement over what was previously there. Mr. Berman provides clarification. Mr. Berman states that if it is a coastal barrier beach

resource system, it would not be allowed to be built on. But if it has been a buildable lot, the dwelling would be allowed to be built, but only if it could be built higher than the dune would migrate.

5. Address: 136 Wings Neck Road

Mowing salt marsh. Violation issued as there is no valid Certificate of Compliance. New agent will be informed of current status of inactive Certificate of Compliance.

6. Address: 9 Wallace Point:

Sea wall is in poor state, and property owner has dumped trap rock along the beach behind the sea wall. Violation issued. Mr. Haines has met with the owner twice, and states that the owner is getting an engineer. Mr. Haines is concerned that if the trap rock is removed, it may cause the wall to come down, or cause sediment issues over the winter. He is recommending long-term enforcement to give the owner time to secure an engineer to fix the wall, and the violation. Mr. Haines will inform the new agent. Mr. Berman comments that this site is out of line with the rest of the shoreline. Mr. Haines states that it was suggested that there may be some portion of that property that may be able to be pulled back, and for the sediment in front of the wall to be cleaned up.

Report of the Conservation Agent:

Mr. Haines will be leaving his position with the Town of Bourne. He commends the Commission, and thanks them for his time with them. Chm. Gray responds the same, stating it has been a pleasure working with Mr. Haines.

Vote on previous meeting minutes:

Meeting minutes for September 2, 2021, September 16, 2021, and October 7, 2021 discussed. Corrections suggested and made.

Motion moved by Mr. Berman, and seconded by Mr. Szwed to approve the meeting minutes for September 2, 2021.

Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. **Motion carries 4-0-0.**

Motion moved by Mr. Berman, with the condition that two suggested corrections be made to the minutes, motion seconded by Mr. Szwed to approve the meeting minutes for September 16, 2021 with above noted conditions.

Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. **Motion carries 4-0-0.**

Motion moved by Mr. Berman, and seconded by Mr. Palumbo to approve the meeting minutes for October 7, 2021.

Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. **Motion carries 4-0-0.**

Meeting adjourned at 9:10pm, unanimously.

Minutes submitted by: Fallon Doyle