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**Town of Bourne
Conservation Commission
Meeting Minutes
Zoom Meeting Platform
May 19, 2021**

2022 JUN -3 PM 12: 26

TOWN CLERK BOURNE

I. Call to Order

Acting Chm. Rob Palumbo called to order the meeting of the Conservation Commission at 7:00PM on Thursday May 19th, 2022, held in the Bourne Veteran's Community Building, 239 Main Street Buzzards Bay, MA 02532. Mr. Palumbo 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 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Mr. Palumbo asked if a member of the public wishes to comment they will first clearly state their full name for the record.

Mr. Palumbo asked if anyone was recording at this time, other than the Conservation Department. - *None*

Members present: Rob Palumbo, Peter Holmes, Greg Berman, Paul Szwed

Excused Members: Robert Gray, Elise Leduc-Fleming, Thomas Ligor

Others in attendance: Stephanie Fitch, Amalia Amado, Brian Wallace, Doug Schneider, John Mitchell

Continuance (Notice of Intent)

1. DEP File Number: **SE7-2197**

Applicant: Town of Bourne

Representative: Zachary L. Basinski, PE, CFM

Project Address: 0 Shore Road, Pocasset

Continued to June 2, 2022.

2. DEP File Number: **SE7-2203**

Applicant: Mitchell Mashnee Realty Trust

Representative: Holmes & McGrath

Project Address: 60 Rope Walk, Bourne

Proposed project includes the demolition of the existing house and the construction and maintenance of a single-family house with attached garage, deck, relocated septic tank, reconfigured driveway, generator, walkway, retaining wall and all associated excavation, grading and landscaping. This project is an AE flood zone. **Continued from May 05, 2022.**

Doug Schneider addressed the board and introduced the applicant John Mitchell. The project was continued from the last hearing at the request of the Commission to consider a gravel driveway instead of paving. Mr. Schneider explained that the Mitchells considered the request but since this is going to be their year round residence, they were concerned about maintaining a gravel driveway in the winter. They would like to keep the paved driveway as proposed on the plan, as well as the other small paved driveway to provide four parking spaces on the property. Mr. Schneider explained that there are actually two driveways existing on the property, the small paved driveway will remain and the larger gravel driveway will be converted to a paved driveway with a new house and garage.

Member Comments: Mr. Szwed asked what the changes were to the new plans dated 5-19-2022. Mr. Schneider clarified that he added a label to an existing conditions plan showing the existing paved driveway to remain. Mr. Berman asked if the plan shows potential increase in the impervious surface. Mr. Schneider said they only show it by proposed structure, it is not written out on the plan. Mr. Schneider added that they would be installing drywells to help with the roof runoff. Ms. Fitch thanked the applicant for considering the driveway request.

No public Comment.

Motion made by Mr. Holmes and seconded Mr. Szwed to move to the draft -all in favor.

Ms. Fitch reads the draft order of conditions is to include:

All general conditions and special conditions pursuant to 131 40 include: 1, 2, 3, 4, 5, 7, 9, 10, 12, 16, 19, 27, 28, 29

Special conditions pursuant to Bourne bylaw article 3.7 include: 5, 6, 7, 9

Motion made by Mr. Holmes and seconded Mr. Szwed to close to the hearing. **Motion carried 4-0-0. Hearing Closed.**

3. DEP File Number: SE7-2204

Applicant: John Williamson

Representative: JC Engineering, Inc.

Project Address: 1 Kerna Drive, Buzzards Bay

Proposed demolition of an existing house and the construction of a new 4 bedroom dwelling with associated utilities, septic system, site grading and hand removal of invasive vines & vegetation. This project is within 100 ft. of a wetland resource area, an AE flood zone and V flood zone. **Continued from May, 05 2022**

Brian Wallace with JC Engineering, Inc. addressed the board and explained the revisions asked to be made on the plan which were the notations of the Salt Marsh and Coastal Beach, which were picked up by the surveying crew but not delineated

by the wetland scientist. They corrected the notes and added an additional note number 11 which states that the resource delineations could not be used for a future project and would have to be delineated by a professional wetland scientist. Mr. Wallace said they also added additional detail to the elevated stairwell detailing types of materials, footing locations, and definitive elevations to give the Commission a better idea of how they will be constructed. The stairs are also oriented more straight on with the house and not staggering down the bank. Mr. Wallace stated that the stair landings are high enough up to provide sunlight for vegetation, about 2 ft. for the first two and 3 ft. for the last one.

Ms. Fitch asked about risers on the stairs, and Mr. Wallace said that there are no risers proposed and would be left open.

Ms. Fitch recommends special conditions:

ASC-1) Aside from the coastal bank, the resource areas delineated on the site plan have not been confirmed by a wetland scientist and should not be considered accurate for future proposed projects.

ASC-2) A monitoring plan to ensure the vegetation continues to thrive under all elevated stairways is required. A COC will not be issued if erosion due to channelized flow is evident.

Ms. Fitch explained to the Commission that once the stairs have been in place for some time there may be some evidence of channelized flow. Ms. Fitch clarified further saying that if there is an issue with channelized flow there may be a risk of erosion to any vegetation trying to establish underneath the stairs. These issues would need to be corrected before applying for the Certificate of Compliance.

No public comment.

Motion made by Mr. Holmes and seconded by Mr. Szwed to move to the draft- all in favor.

Ms. Fitch reads the draft order of conditions is to include:

All general conditions and special conditions pursuant to 131 40 include: 1, 2, 3, 5, 7, 9, 10, 14, 18, 19, 27, 28, 29

Special conditions pursuant to Bourne bylaw article 3.7 include: 5, 6, 7, 9

ASC-1) Aside from the coastal bank, the resource areas delineated on the site plan have not been confirmed by a wetland scientist and should not be considered accurate for future proposed projects.

ASC-2) A monitoring plan to ensure the vegetation continues to thrive under all elevated stairways is required. A COC will not be issued if erosion due to channelized flow is evident.

Motion made by Mr. Holmes and seconded by Mr. Szwed to close to the hearing.
Motion carried 4-0-0. Hearing Closed.

Vote to Excuse Absent Members:

Motion made by Mr. Holmes and seconded by Mr. Szwed. **Motion carried 4-0-0.**

Approval of meeting Minutes:

April 21, 2022 approved with corrections.

May 05, 2022 approved with corrections.

Report of the Conservation Department:

Mrs. Amado addressed the board on the number of certificates of compliance that have lapsed going back 10 years and she proposed a plan going forward to close out the Orders.

Ms. Fitch stated that she will be addressing outstanding violations and considers adding a no mowing in the wetland resource area placard to violation sites.

II. Adjournment:

Motion made by Mr. Holmes and Seconded by Mr. Szwed to adjourn. All in favor.

Meeting adjourned 7:34PM