

**Town of Bourne
Conservation Commission
Meeting Minutes
June 16, 2022**

- I. Call to Order Chm. Robert Gray called to order the meeting of the Conservation Commission at 7:00PM on Thursday June 16, 2022, held in the Bourne Veteran's Community Building, 239 Main Street Buzzards Bay, MA 02532. Mr. 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 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

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

Mr. Gray asked if anyone was recording at this time, other than the Conservation Department.

Members present: Robert Gray, Greg Berman, Elise Leduc-Fleming, Rob Palumbo, Peter Holmes

Members excused: Thomas Ligor, Paul Szwed

Others in attendance: Stephanie Fitch, Zac Basinski, Brian Madden, Amalia Amado, Peter Valeri, Ken Breivogel, David & Susan Malcom, Kate McCarey, Brendon Howe, Lynne Howe, Chip Coen, MaryFrances Galligan, Natalie Galligan, Jim Filbin, Paul Gately, Tim Lydon

Request for Determination

1. File Number: **CC22-18**
Applicant: Arthur Stentiford
Representative: Peter Valeri
Project Address: 169 Clipper Road, Bourne

Replace the septic system in an AE flood zone and V flood zone.

Mr. Valeri explains the upgrade and the removal of a two cesspool system. A new 1500 gallon tank will tie into the existing garage and two bedroom house, with a new leaching field. No trees will be removed and landscaping will be done after construction.

Ms. Stephanie Fitch reports that it is a great upgrade to the site in a highly developed area. She would like to ensure sediment is controlled during installation.

No public comment.

Motion to approve made by Mr. Holmes and seconded by Mr. Palumbo under a Negative Two Determination.

All in favor. **Motion carried 5-0-0.**

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2. File Number: CC22-19
Applicant: Paul Neelon
Representative: Stephen Buckhoff
Project Address: 84 Old North Road, Pocasset

Vista pruning within 100 ft. of a wetland resource area and V flood zone.

Stephen Buckhoff of Sea Side Arborist proposed that he wants to recut the vista that he cut about 7-8 years ago. No plans provided.

Ms. Stephanie Fitch first explains that she decided to go with an RDA instead of an administrative approval because it's a rather large vista pruning project within a Velocity zone and within 100 ft. of Salt Marsh. She explained it was difficult to access, it's very overgrown and the Salt Marsh side has really high phragmites. It is really hard to know where the resource area ends. Ms. Fitch provided a site plan from 1984 via the Health Dept. for the septic. This will at least give everyone an idea of where the resource areas are. She also included for the Commission the FEMA maps for the flood zone.

Member Comment: Chm. Gray asked approximately how many trees would be cut. Mr. Buckhoff said a dozen mature oak trees. Chm. Gray clarified that this is vista pruning and not tree removal. Mr. Buckhoff said no tree removals. Mrs. Elise Leduc-Fleming asked if he planned to limb the 12 adult oak trees or chop the top off of them. Mr. Buckhoff said the trees are already limbed up to where they need to be, it just needs to be maintained, it would be cutting off the little sprigs growing out. Ms. Fitch questioned where he had planned to do the drop crotch cutting. Mr. Buckhoff explained there is another group of tiny pitch pines that need the tops removed. Ms. Fitch asked for more specifics of how many trees will be drop crotch cut and how many trees will be limbed. Mr. Buckhoff said 12 will be limbed and 12 will be drop crotch cut. Chm. Gray asked how close he will be to the Salt Marsh resource area. Mr. Buckhoff said right at the top of the bank. Mr. Berman said any questions he has would need to be seen on a site plan, marked where the Coastal Bank is in relation to the trees. Ms. Fitch said on her site visit that she did not come across a Coastal Bank and believes the resource area is the Salt Marsh. Ms. Fitch measured on the site visit that the pitch pines are 30ft. off the deck and the mature oaks are further in up to the 50ft. buffer zone. All work would be within the 100ft. buffer zone.

No public comment.

Motion to approve made by Mr. Holmes and seconded by Mrs. Leduc-Fleming under a Negative Two Determination.

All in favor. **Motion carried 5-0-0.**

3. File Number: CC22-20
Applicant: Jonathan Levitt
Representative: John E. Landers-Cauley, P.E.
Project Address: 128 Emmons Road, Monument Beach

Removal of existing onsite sewage system and replacement with a new I/A MICROFAST system for a 7 bedroom design. All disturbed areas to be landscaped, graded, loamed and seeded within 100 ft. of a wetland resource area.

Ken Breivogel representing for Jack-Landers Cauley requested to replace the septic system for a 7 bedroom I/A technology system.

Ms. Fitch reports that it is a fine upgrade and not in an ACEC or priority habitat and has no issues with the project as proposed.

Member Comment: Mrs. Leduc-Fleming asked what the existing conditions are in the area where the septic is going and if it is lawn. Mr. Breivogel said it would be going in the same location as the existing septic. Ms. Fitch confirmed it is a lawn area and there is no tree removal.

No public comment.

Motion to approve made by Mr. Holmes and seconded by Mr. Palumbo under a Negative Two Determination.

All in favor. **Motion carried 5-0-0.**

Notice of Intent

1. DEP File Number: **SE7-2209**
Applicant: James McLaughlin
Representative: Bracken Engineering, Inc.
Project Address: 227 Main Street, Bourne

Proposed project consists of the construction of a duplex and garage with studio apartments and associated utility work, grading and landscaping within an AE flood zone.

Chm. Gray steps down and Mr. Palumbo takes over to chair the meeting.

Zac Basinski professional engineer of Bracken Engineering, Inc. is representing homeowner Mr. McLaughlin. Mr. Basinski explains that this project was before the Commission about a year and a half ago, at the time they redeveloped the front of the house on the existing property. Since that time period Mr. McLaughlin has subdivided the lot and the proposal is to build another duplex in the back, with an associated garage and studio above it. It is a 14,000 SF lot, the only resource area is Land Subject to Coastal Storm Flowage at elevation 16. The residential structure has a finished floor at elevation 17.3 ft. per building code. The proposed dwelling will be built in compliance to FEMA, the garage will be compliant with flood vents and the living space above. The site grades will all stay the same, onsite parking will be installed with catch basins. All utilities will be brought back.

Ms. Fitch reported from her site visit and was happy to see erosion controls at the one existing catch basin, no tree removal and had no issues with the project as proposed.

Member Comment: Mr. Berman asked if there is much change in the impervious surface and how the rain water will affect the area. Mr. Basinski said everything is drained right to the middle. They have gutters to catch all the roof runoff and all runoff is collected. Ms. Fitch asked if it's gravel right now. Mr. Basinski said yes it's a gravel path and it used to be impervious when the other building was there.

No public comment.

Motion made by Mr. Holmes and seconded by Mrs. Leduc-Fleming to close the public hearing.

Ms. Fitch the draft order of conditions is to include: *All general conditions and special conditions pursuant to 131 40 include: 1, 2, 3, 4, 7, 10, 12, 14, 15, 16, 18, 19, 27, 28*

Special conditions pursuant to Bourne bylaw article 3.7 include: 5, 6, 7, 8

Motion made by Mrs. Leduc-Fleming and seconded by Mr. Holmes to move the draft order to the final order.

All in favor. **Motion Carried 5-0-0.**

2. DEP File Number: SE7-2208

Applicant: The Long Point Trust

Representative: Brian T. Madden, LEC Environmental

Project Address: 176 Scraggy Neck Road, Cataumet

Proposed demo of existing dwelling and construction a new dwelling with associated appurtenances, including a new driveway, attached garage, decks, upgraded septic system, utilities, regrading, storm water management, lawn/landscaping, and restoration/mitigation plantings. This project is located in an AE flood zone and within 100 ft. of a wetland resource area. **Continued From 6/02/2022.**

Brian Madden introduces himself from LEC Environmental, he reviews the resource areas and explains existing conditions before the proposed conditions. The site itself is located on Scraggy Neck Road, to which Red Brook Harbor is located to the east and west. There is Salt Marsh that has been delineated on the east and west defined by the green boundary line on the plan. There is Coastal Bank on the property shaded in gray on the plan and Land Subject to Coastal Storm Flowage up to elevation 15. Mr. Madden explains there is a small portion on the property that is out of the flood zone and the remainder of the site is within the flood zone. Mr. Madden explains the delineation of the Coastal Bank. To the east of the driveway the Coastal Bank comes up to the flood zone elevation where there is a slope of 10:1, greater than 10:1 less than 4:1. So that meets up with the flood zone elevation and further to the south the slope starts to drop off where it gets below 10:1. There is a secondary Coastal Bank that is continuous but is present where there is a slope greater than 10:1 immediately adjacent to the driveway. There is an existing single-family dwelling that's located immediately at the top of Coastal Bank and actually 6 sq. ft. of the existing deck is cantilevered over the Coastal Bank. It starts to flatten out into a lawn area and transitions to a gravel driveway, which is a looped driveway connecting to the road at two locations.

The proposed conditions are to raze and rebuild a new dwelling. The proposed new dwelling has been cited further landward away from the resource areas. The attempt has been to consolidate within the open cleared area to minimize any intrusion into the surrounding forested area. The dwelling itself will be a crawl space foundation that is all located within the flood zone. There will be flood vents located throughout the house, compliant with state and local building codes. The proposed lawn and landscaping plan around the structure itself has been minimized. The runoff from the structure is being directed to two subsurface leach pits. A proposed I/A septic system upgrade application has been submitted to the Board of Health which will be heard on July 13, 2022. The proposed septic system upgrade is located greater than 100 ft. from the Salt Marsh, in comparison to the existing septic which is located about 31 ft. from the Salt Marsh. The existing cesspool is going to be pumped and cleaned with sand, sand will be deposited into it, not proposing to excavate it given it is located at the top of the Coastal Bank. The loop driveway itself is being eliminated and shortened up, maintaining the existing southerly access point. The northerly portion of the driveway is going to be abandoned with proposed revegetation area and to the west of the proposed dwelling they have provided a planting plan with a comprehensive list of trees and shrubs. This proposes to help augment runoff infiltration and help the entire greater buffer to the salt marsh. The entire construction footprint will be circled by silt fencing for erosion control purposes. They believe the proposed relocation of the structure itself, and removing the existing structure from the top of the Coastal Bank, incorporating a

new I/A septic system along with proposed revegetation and planting plan will provide a long term benefit over existing site conditions.

Ms. Stephanie Fitch notes from her site visit that there wasn't any flagging of mature vegetation, and asks how much of that will be coming down, including the garage not just the vista. Mr. Madden answers that a total accumulative of 48 trees will be removed. Mr. Basinski explains that there are three zones identified and added to the plan that will be brought back. Mr. Basinski further explains that the intent of tonight's meeting was to open the hearing to confirm the resource areas and that they will be going in front of Board of Health on July 13th.

Ms. Fitch asked to confirm on the plan and clarify for the Commission, the difference between the toe of the secondary bank and the top. Mr. Madden explained the top of the coastal bank is defined by the flood zone elevation. A slope greater than 10:1 but less than 4:1 and the toe is the boundary where it flattens out and where it does not have much of a slope to it where there is a gravel driveway. Ms. Fitch says that the Commission feels strongly about no creep towards the resource area and was happy to see the new structure pulled back. Ms. Fitch would have liked to see more of it out of the 0-50' buffer.

Member Comment: Mr. Berman asks if the secondary bank has been impacted by human interaction. Clarifying further, he asks if it was artificially sloped like that or natural. Mr. Madden said it had been artificially manipulated and it's hard to say how so by historic aeriels. There are some old pillars and old water utility. Mr. Madden said it's partially overgrown with strewn debris and rock boulders it appears to have been partially excavated in the past.

Mr. Berman describes that the primary Coastal Bank has more of a performance standard value than the secondary Coastal Bank, not saying it doesn't meet it by definition. He likes that the looped driveway is being closed off to one half helps the secondary bank. Mr. Berman explains that the garage is very close to the primary bank, even though the existing structure over hangs on the coastal bank, it seems closer than what might be reasonable in some cases. Mr. Madden explains they attempted to avoid intrusion to the secondary bank, realizing they wanted to be as far away from the primary bank as possible.

Mrs. Leduc-Fleming asks for clarification on the trees that are on the plan and if there is currently a naturally vegetative area. She points out that if the area doesn't have to be regraded or cleared, why would they propose to do that just so they can regrade and replant? She says that it seems to be a bit of an overreach to regrade into the buffer and on a tight site it makes more sense to leave it alone. Mr. Berman adds that taking down the dead snags is very different than taking down the more mature trees and he would like to see that on the site plan. Ms. Fitch reports from her site visits and confirmed the existing resource areas. Flagging of Salt Marsh, Coast Banks and flood zone maps.

Public Comment: Mary Frances Galligan, an abutter, is concerned about the proposed tree removal on the south side of the property that abuts her front yard. Mary Frances Galligan also states the Bourne BOH has a requirement of a 150' setback from the wetlands. She states that the BOH also requires a hydrologic study for all septic systems within the wetlands and that the applicant has not submitted one. This hydrologic study is required to see which embayment the nitrogen loading from the septic will flow to. Also, it states that in no case shall there be a leaching field within 75' of a wetland, except in cases of repair or extreme hardship. According to the submitted plan, the proposed septic system is 29' from the coastal bank and the proposed reserve area is 10' from a second coastal bank. While most of these concerns are BOH issues, the approval of this septic system is shared responsibility with BOH and Conservation Commission. Therefore, the applicant is not allowed the Tile V presumption because they don't meet the State's 50' setback requirement or the restrictive local BOH's 150' setback. Thus, this wetlands issue (placement of the proposed septic system) comes under the jurisdiction of the Conservation Commission.

Mr. Palumbo states that the Commission will get guidance from Board of Health before they move forward with respect to the septic.

Mary Frances Galligan asks how much fill would be brought onto the project site.

Ms. Fitch says she spoke with Don Bracken and the fill calculation requires 312 cubic yards (about 21 truckloads) as per the proposed plan. Again, they may change with the next revisions.

Kate McCarey, an abutter, responds to Mr. Berman's previous comment on excavation and recalls in the past fill being brought in to part of the secondary bank when the house was torn down and rebuilt on the point. She states it was definitely altered.

Continued hearing to July 21, 2022.

3. DEP File Number: SE7-2197

Applicant: Town of Bourne

Representative: Zachary L. Basinski, PE, CFM

Project Address: 0 Shore Road, Pocasset

Proposed improvements to the onsite drainage and parking within the Hog House Point parking area and the Monks Park parking area. This project is within an AE flood zone, V flood zone and within 100 ft. of a wetland resource area. **Continued from 6/02/2022.**

Mr. Basinski explains the project came before the Commission back in March and has been in review with Tim Lydon from the Town of Bourne Engineering Department, who has been working with Don Liptack from the Cape Cod Conservation District to improve the water quality at Monks Park. Mr. Basinski explains the two phases of the project. In the primary area installing catch basins, French drains and subsurface treatment to capture all of the runoff coming down Valley Bars Road. The second portion is proposing to pave a portion of the parking lot area to establish the limit of parking so it eliminates any creep. There will also be a rain garden installed to provide onsite water treatment, this is to improve shellfish quality in the area. Mr. Basinski responds to a prior question from Mr. Berman at the last hearing. Mr. Berman had asked if they had permission to pave on top of a coastal barrier beach and Mr. Basinski provides support of finding for that. Mr. Lydon has done research and has submitted a letter to the Commission explaining that the Cape Cod Conservation District has reached out to the US Fish & Wildlife. The letter further explains how the funding is still approved with the project as proposed. Mr. Basinski explains the grant money is going to be issued to the Town to be used because the mutual benefits satisfy both entity's goals. He also explains comments from Natural Heritage that ask for a late spring early fall botanical study around the edges, to ensure that there are no endangered plants, specifically the New England Blazing Star. This will be a condition as part of the specs for the contractor to obtain a certified botanist to evaluate along the edge with the contractor prior to construction. He concludes if anything is noticed they would be back to work with staff to determine the time frame affected.

Ms. Fitch comments that they can discuss if approved, any special conditions they decide on regarding the botanical study requirement. Ms. Fitch states that Natural Heritage will continue their review of the proposed project for compliance with the Massachusetts Endangered Species Act once the botanical study is complete. Ms. Fitch recommends that the Commission carefully include that in the special conditions.

Mr. Basinski gives a brief overview of the project for anyone who missed the previous hearing. All disturbance is in disturbed area, and there will be no tree removal. The two existing gravel parking lots will have subsurface water systems underneath and guardrails around that to prevent any creep. Gravel

all along the side and installed trench drains to capture all the runoff. Everything now in a heavy storm, washes directly under the train bridge. Again not changing the amount of parking, controlling the drainage, controlling the area of limit so that people aren't making the area greater by creep. The DPW performs annual maintenance and grades the gully under the bridge. The routine grading and creep, is part of the reason that paving has become a part of this project. The paving will allow DPW to not have to continue to keep re-grading the washed out areas, which will minimize any creep and protect the water quality. This will now allow the operations of the park to be easier, with demarcated spaces along the way and also allows to pitch the storm water to the rain garden system.

Ms. Fitch said the paving became a discussion with Don Liptack from Cape Cod Conservation District to control storm water. Basically by paving it to be able to control all of the storm water. There is proposed gray storm water infrastructure at the top of Valley Bars Road and a large green storm water infrastructure at the swale. The large swale is a pilot project for the Town, and by starting with the swale hopefully we will be able to learn from this, to help to do more GIS throughout the Town. At first paving was a little shocking but talking more with Don Liptack paving was the way to go. There is a parking lot there, so there is always going to be cars and oil going through, so if we can control that, is that our best bet.

Mrs. Leduc-Fleming followed up about the number of 6 parking spaces only in the paved lot. Ms. Fitch clarifies that there will be more spaces and says that there will no longer be trailer parking. Ms. Fitch also explains about taking out parking spots that were made by creep. Essentially improving by having more designated parking for cars. Ms. Fitch also explained that they will also be closing off where people are currently launching their kayaks into the salt marsh, which is ruining the limited peat that's left. The idea is to hopefully lead everyone to the launch area.

Mr. Lydon describes the formalization of the parking lot. He explains that the human imprint and impact to this area shows up in the water quality data that we have. Little Bay has become degraded by the human imprint and what we are looking to see over time is to treat the area with the utmost care. And because Monks Park is everyone's favorite area, people drive there, they bring their dogs there and it all adds additional nutrients that is being brought to that catchment area that goes towards Little Bay and the greater Pocasset area. We have to mitigate and that's the whole basis of this project. It's an area we don't want to urbanize but because there is an urban footprint in this area, we are trying to capture a lot of the runoff and pollutants in the improvements that are proposed. This project is grant funded, and Mr. Lydon explains this was in the plans for the Cape Cod Watershed initiative in 2006, and this is something that the Cape Cod Conservation District spotted and was wondering if the Town was willing to pursue. Mr. Lydon thinks it's a great first step because the Town really hasn't done a lot of water quality improvements and wants to see the Town enhance places like Monks Park. Some may see paving as a detriment to Monks Park, but seems the only way to capture pollutants. Mr. Lydon explains that this may be phase one of a multiple phase project. The green storm water infrastructure at the swale is very important for Bourne, this with the DPW really encapsulates the Town taking a step forward to take on a GIS infrastructure. The main thing now is to shore up the storm water and take care of the Salt Marsh restoration. An area that seemingly has a lot of pollutants which this is an area of Town property that the Town can rectify.

Mrs. Elise-Leduc Fleming asks if the funding takes it through design and permitting or does it take it all the way through construction. Mr. Lydon says it takes it through construction, with construction beginning between March-May. Mrs. Leduc-Fleming asks if Natural Heritage had any recommendations for the Terrapins in the area. Mr. Lydon saying that they will keep an eye on the terrapin nesting and paving will be on the existing constantly disturbed hard packed area, and all of the equipment will stay on the existing driveway road area.

Mr. Berman comments that obviously the existing parking lot does not drain fast and although not completely impervious, it's not like a nice sandy soil that would be paved over, it is pretty hard-

packed already. It is not as big of an impact as some other areas, asking if the rain garden plantings will be needed assuming it will treat whatever water that flows in them before it infiltrates. Mr. Berman asks if all the plants die, will they have to be replanted. Mr. Basinski answering that is in the two year warranty if any plants should die or be damaged during the growing season, which they will be replaced at the contractor's expense and said there will be three growing seasons. Mr. Lydon explained they are required to give the NRCS and USDA an O&M plan as part of the grant. The first GIS O&M for the Town, going forward and talking about that is a holistic approach with DPW. Mr. Lydon says that they will be bringing in about 12 inches of subbase, elevating that area making sure that any water entering in the paved area drains to the rain swale.

Public Comment: Peter Valeri, resident of Bourne, gives a history of Mud Cove. He also expresses that there is heavy traffic and dog walking with no regard for Mud Cove. He noticed since the walking trails have been established, and the people started parking on this side of the bridge, it has made what they call the creep. They didn't want to drive under the bridge because of the big puddle, but that it also kept some people out. The second part he mentions there is no patrol there with people doing donuts in the parking lot. Also the Kayak rentals will drop off the kayaks in the illegal kayak ramp for launching. He says you can't really duck hunt in the area anymore because there are so many people walking dogs and that hunters have just as much rights. Mr. Valeri agrees with the storm water upgrade but just to be aware that when you make the area beautiful to be cautious of the parking situation and anticipates the traffic getting much worse.

Motion made by Mr. Holmes and seconded by Mrs. Leduc-Fleming to close the hearing.

The draft order of conditions is to include all general conditions and special conditions pursuant to 131 40 include: 1, 2, 3, 7, 10, 12, 14, 15, 17, 18, 19, 21, 22, 27, 28

Special conditions pursuant to Bourne bylaw article 3.7 include: 4, 5, 6, 7

ASC-1) All conditions included in the Natural Heritage and Endangered Species Program (NHESP) letter dated April 5, 2022 for NHESP File No. 22-40915 are to be included in this OOC. No work may begin until the botanical survey is completed and further review by NHESP is complete.

Motion made by Mrs. Leduc-Fleming and seconded by Mr. Holmes to move the draft to the final.

All in favor: **Motion carried. 5-0-0**

Request for Certificate of Compliance

1. DEP file number: **SE7-2040**
Applicant: Michael L. Goyette, Trustee
Representative: Beals and Thomas, Inc.
Project Address: 81 Phillips Road, Sagamore Beach

Ms. Fitch had a site visit with the homeowner and contracting team for the re plating, recommends issuance.

Motion made by Mr. Holmes and seconded by Mr. Palumbo to grant certificate of compliance.
All in favor: **Motion carried 5-0-0**

Additional Discussion of BWR 1.16:

Shore and Harbor Committee Recommendation, 5.19.2022
Conservation Commission Public Hearing Revisions, 6.2.2022

(2) Velocity Zone-related Fees:

(a) All applications for docks in Velocity Zones (only small residential docks are authorized to apply at this time) are subject to a "V-zone Impact Mitigation Fee" which will be paid to the Bourne Coastal Resilience Fund to help provide for debris removal in the event of severe storms.

- This fund exists but it is for improving coastal structures, could it be used for disaster clean up.

(b) Where applicable, applications for docks may also be subject to a Shellfish Mitigation Fund to be determined upon the Commission's joint review of the surrounding shellfish habitat with the Department of Natural Resources.

- Fee should be for all docks impacting Land Containing Shellfish.

(3) To keep disturbance of the bottom minimal at all times during both construction and use, the water depth at the seaward end of any structure shall be a minimum of three (3) feet at the time of mean low water.

- Taking away 3ft and recommending to continue the coordination with DMF, keeping the two tiers.

(a)

Dredging can only be permitted in previously dredged areas, and not to be obtained for use in a private area for that facility. No new dock/pier with a float shall be located in an area that does not meet the minimum water depth without dredging.

Revise the current text at BWR 1.16 (e)(4) [page 20, lines 49,50] to read as follows: No float portion at the terminus of a pier, dock or float may exceed sound, stable design and size for the purpose, as certified by the engineer in BWR section BWR 1.16 (e)(22)

Revise the current text at BWR 1.16 (e) (16) to read as follows [page 21, lines 18-21]:

16. No portion of the pier and floats shall be within:

- a. twenty five (25) feet of a property line or property line extension,
- b. one hundred feet (100 ft.) of a navigation channel or one hundred (100) feet from the location of any mooring anchor to the nearest edge of the float, or
- c. two hundred fifty feet (250) feet from boat ramp, public landing, or public swimming beach;

Add the following text as BWR 1.16 (e) (21) [Page 21, Line 27ish]:

21. All piers and docks shall include at the most appropriate location signage stating that public passage is allowed laterally along the shoreline below the high water mark and in the water around the pier or dock for the purposes of fishing, fowling and navigation. The signage may also include prohibition on public usage of private property for any other purpose.

22. All piers and docks applications, including those for temporary small residential docks, shall be accompanied by an engineering certification that the structure is designed and composed of materials appropriate for the site and conditions of usage.

Public comment: Chip Coen, Bourne resident, adds his observation of the public passage and two different styles of docks. The Town's dock which is a floating pier section that goes out to the landing. So there is always access for someone to cross over it to do their fishing or hunting. Then on the other side is the example of a more traditional dock with the elevated sections that are removable, with the non-floatation device with the boardwalk style. The elevated dock on the landward edge has two wooden steps off the pier section and you are able to take your two steps up "trespass" as it feels like and cross over. He is thrilled with the progress that's being made by the departments and Shore and Harbor Committee.

Minutes from June 2, 2022. Approved with corrections.

Motion made by Mrs. Leduc-Fleming and seconded by Mr. Palumbo to approve with corrections
All in favor. **Motion Carried 5-0-0**

Vote to excuse absent members.

Motion made by Mrs. Leduc-Fleming and seconded by Mr. Palumbo to excuse the absent members.

All in favor. **Motion Carried 5-0-0**

Report of the Commission:

Chm. Gray states that it is Mrs. Elise Leduc-Fleming's last meeting and he thanks her for her devotion and time with the Conservation Commission.

II. Adjournment:

Motion made by Mrs. Leduc-Fleming and seconded by Mr. Palumbo to adjourn.
All in favor: **Motion Carried**