

**Town of Bourne  
Conservation Commission  
Meeting Minutes  
August 18, 2022**

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TOWN CLERK BOURNE

**I. Call to Order**

Chm. Robert Gray called to order the meeting of the Conservation Commission at 7:00PM on Thursday August 18, 2022, held in the Bourne Veteran's Community Building, 239 Main Street Buzzards Bay, MA 02532. 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 Section 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

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

Chm. Gray also reviewed the 5, 5, 5 Rule which allows the applicant or representative to make a five minute presentation to the Commission Members, Commission Members will then take five minutes to seek additional information if necessary, and then the public will be allowed five minutes for comment. If the matter is more complex, more time will be allotted.

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

**Members Present:** Bob Gray, Greg Berman, Thomas Ligor, Susan Weston, Rob Palumbo

**Members excused:** Paul Szwed and Peter Holmes

**Others in attendance:** Stephanie Fitch, Mike Borselli, Jack Landers-Cauley, Peter Coffin, Mr. Levitt, Greg Jones, Bradley Bertolo, Meredith Avery, Margaret Lehy

**Continued:**

**Request for Determination**

1) **File Number:** CC22-26

**Applicant:** Christopher Codeanne

**Representative:** Same

**Project Address:** 0 Circuit Ave, Bourne

**Proposed Project:** Vista pruning of vegetation in upper border of salt marsh. This project is in the V flood zone and within 100 ft. of a wetland resource area. **Continued to 09/01/2022.**

**Notice of Intent**

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 Project:** 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 to 09/01/2022.**

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**Request for Determination:**

1) **File Number:** CC22-27

**Applicant:** Sharon & Michael Donatelle

**Representative:** Meredith Avery

**Project Address:** 169 Tahanto Road, Pocasset

**Proposed Project:** Construction of a 10' X 12' screened in porch, the removal of a tree and the construction of a 10' X 20' deck. Located within an AE flood zone and 100 ft. of a wetland resource area.

Meredith Avery professional wetland scientist, addressed the commission and reviewed the existing conditions of the property and identified the wetland resource areas. Ms. Avery then explained the detail of the proposed project; the home generally slopes from the front to the back and the back is bounded to the rear by saltmarsh. The saltmarsh was delineated in the field as part of the application, and is shown on the plans just off the property line, which puts the buffer onto the property. The entire property is in the 100 ft. buffer, which comes to the front of the lot. Ms. Avery started with the proposed deck off the back and stated that it is the closest to the wetland resources area. Ms. Avery said all the work will be proposed on sonotubes (12) and elevated above the flood elevation. This will not extend any further than the existing retaining wall. Ms. Avery shared photos and explained that the project will not extend any closer to the wetland resource area.

Agent comment: Ms. Fitch made a site visit on June 14th and saw no coastal bank issue. Ms. Fitch said as long as there is proper erosion controls when digging the sonotubes, she has no issues with the proposed work. Ms. Fitch shared photos of the sloped yard and retaining wall.

Member comment: Mr. Ligor asked to identify what tree is being removed. Mr. Donatelle stated it is not marked on the plan, but it is right in the middle at the edge of the porch and in order to do the project it would have to come down. Mr. Berman asked to clarify that the deck isn't going any further than the rock retaining wall on each side, closer to any resource area. Mr. Donatelle explained it is going beyond the retaining wall 4 ft. and it will meet up with the porch, so you will be able to exit out the porch onto the deck. Mr. Donatelle clarified that it is not closer to the resource because of the angle of the house. The deck will actually be 42 ft. away from the resource area.

Public comment: Margaret Lehy an abutter is in support of the project.

Agent comment: Ms. Fitch had a suggestion for mitigation to add a buffer and take out a strip of the turf grass and replace with native vegetation.

Member comment: Mr. Berman supported that and said even though it's an already altered area, there is a 50 ft. no disturb buffer and it is going to take 4 ft. closer to the resource, he would like to see 5 ft. or more as a buffer starting at the resource area. The commission agrees.

Motion made by Mr. Ligor to approve under a negative two determination seconded by Mrs. Weston.

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



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2) **File Number: CC22-28**

Applicant: Don Duberger

Representative: J.E. Landers- Cauley, P.E.

Project Address: 39 Salt Marsh Lane, Bourne

Proposed Project: Proposed raze and rebuild of a single family dwelling, driveway and appurtenances. This project is in an AE flood zone only.

Jack Landers-Cauley gave a background of the property, and stated there is no wetlands within 150 ft. It is only in the land subject to coastal storm flowage. Mr. Duberger filed a building permit and then was told it had to go through the Conservation Commission. Mr. Landers-Cauley explained the project and identified the resource areas. The raze and rebuild will be in the same foot print and with proposed drywells, so there will be no increase of runoff.

Agent comment: Ms. Fitch said the site is already demoed, so it's a gigantic hole of sand at this time. The revised plan shows the abandon cesspool and now septic system. Ms. Fitch had no issues with this project as long as proper sediment track controls are in place.

Member comment: Mr. Ligor asked if the two sheds will be removed. Mr. Duberger said that one shed has already been removed and the other shed was moved off the property. Mr. Ligor asked if the existing stone driveway will remain stone or converted to asphalt. Mr. Duberger said it will remain a stone driveway.

No public comment.

Motion made by Mr. Ligor to approve under a negative two determination seconded by Mrs. Weston.

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

**Notice of Intent:**

1) **DEP File Number: SE7-2214**

Applicant: Patrick D. Curran

Representative: Falmouth Engineering, Inc.

Project Address: 104 Rocky Point Road, Bourne

Proposed Project: Proposed construction of a detached garage and upgrade to the existing substandard septic system. This project is within 100 ft. of wetland resource areas and within an AE flood zone and a V flood zone.

Mike Borselli of Falmouth Engineering addressed the commission, he identified the resource areas and explained the delineated slopes on the project. The proposed project in question is to add a garage that will replace two smaller sheds and relocate the garage basically splitting the difference between the two wetland resource areas but not moving it any closer to the resource. The garage will not move closer than any existing structure. The applicant has limited storage and that is the reason for the proposed garage. The space above the garage is

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intended to be a home office, and even though it is not a bedroom, it meets the definition of a bedroom. There will be an increase from the existing 5 bedrooms in the house to 6 bedrooms. Mr. Borselli said the current septic system is not up to current Title 5 standards but did pass an inspection. He expects since they are adding a bedroom that the Board of Health will be looking for waste water improvement and they are adding an entirely new septic system. The new septic will include a denitrification system and pressure distribution leaching field. Mr. Borselli said adding the enhanced treatment, even though they are adding one bedroom the nitrogen loading calculation goes down and the net result is an improvement over wastewater treatment. The garage is in a place that's already altered, where the shed and lawn areas are currently. Mr. Borselli said he would like to enhance the buffer and that there would be some opportunity and is open to suggestions on that. Drywells have been added to the plan.

Agent comment: Ms. Fitch shared a photo and identified the saltmarsh resource, making sure there is no adverse effect on the saltmarsh productivity by upgrading to an I/A septic system, it should have a beneficial impact compared to the traditional Title 5 system that is currently in the ground now. She explained that the large added garage would increase the impervious surface. Mr. Borselli added drywells to help mitigate that with the roof runoff. Ms. Fitch said there is more vegetation and more trees around where the garage is, that is the best location this could be on the site to help avoid scour along the coastal bank and any flow directly into the saltmarsh on either side, but especially the Back River side. In terms of the coastal bank the drywells should help with the roof run off. Ms. Fitch mentioned the coastal bank where the septic system is and there is one strip of rose of Ragusa, then there is the riprap. Ms. Fitch recommended the mitigation of this area since there is turf grass. She also asked Mr. Borselli about the trees that are located where the SAS is going. Mr. Borselli explained there are two cedar trees where the leaching field will be. He further explained that he tried rotating and that he couldn't find a better location without going further towards the resource area without avoiding that one tree. He said to offset they could add some shrubbery and a cedar tree in another location. They will be going before the Board of Health for 150 ft. set back variances.

Member comment: Mr. Berman liked the widening of the buffer. A general discussion about the coastal bank and buffer plantings took place. There can be an administrative approval on the revised plans and proposed plant list.

No public comment.

Motion made by Mr. Berman to close the hearing and seconded by Mr. Palumbo.  
All in favor.

Ms. Fitch reads the draft order of conditions to include: *All general conditions and special conditions pursuant to M.G.L 131 40 include:* 1, 2,3,4,5, 7, 9, 10, 12, 14, 15, 16, 18, 19, 27, 28, and 29

*Special conditions pursuant to Bourne bylaw article 3.7 include:* 4, 5, 6, 7, and 9

**ASC-1)** A native vegetation strip along the top of the coastal bank and replacement of any lost



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trees is required prior to issuance of the COC.

Motion made by Mr. Ligor to move the draft to the final and seconded by Mr. Palumbo.  
All in favor. **Motion Carried. 5-0-0**

2) DEP File Number: SE7-2215

Applicant: Jonathan Levitt

Representative: J.E. Landers-Cauley, P.E.

Project Address: 128 Emmons Road, Monument Beach

Proposed Project: Proposed project includes the removal and replacement of deck, stairs and porch on the north side of the house, a remodel of existing garage into living space, an addition of a new 2-car garage, and the replacement of the existing septic tank with a 6-bedroom I/A system. Proposed work will take place within 100' of a coastal bank.

Jack Landers-Cauley presented as representative. The hearing was also attended by Peter Coffin the builder and Mr. Jones the architect. Mr. Landers-Cauley explained the plans and identified the cross sections of the coastal bank which explained the addendum sheet to identify the coastal bank. He gave some history, as they originally came before the Commission as an RDA so they could have standing before the Board of Health. The purpose of the RDA was to propose a 7 bedroom septic system. After meeting with the Board of health it is now going to be a 6 bedroom. Mr. Landers-Cauley said that portion of the project was improved on, which was already approved as an RDA. He explained that the new plan is a lot easier to read and has four components. The first part is 50% of the project which is to restore the existing structure, mostly the interior of the house. Another 25% is a proposed deck, garage and a vestibule. They will be taking the garage and converting it to a proposed addition and the normal appurtenances which is the driveway and the septic system. He shared the plans and identified the resource areas. He described the lot as a saddle, high in the middle and low on the sides. Buzzards Bay is to the west. There are two large culverts that allow the water a passage into a tidal basin. The basin is closed off because many years ago before the wetlands protection act, they built a causeway that basically dissected a piece of the wetlands. Mr. Landers-Cauley further explained the resource areas and setbacks on the plan. He stated they are taking 10,000 square feet of lawn and reducing it to 3,000 square feet. The trees are staying, and the lawn will be replaced with native plants. He further explained and shared a plant list that was approved by the Commission years ago under another order. Photos were shared of the lawn area.

Agent comment: Ms. Fitch explained that the house addition is to the west and away from the coastal bank and it is out of the 100 ft. buffer to the eastern bank. It will also include a drywell to collect any runoff and Ms. Fitch does not see that impacting any stability of the coastal banks. The deck addition does not creep towards the resource area and the removal of 7,000 square feet of turf grass to be replaced with native lawn cover, which will only improve the stability of the coastal bank. The increase of impervious surface of the roof is slightly offset because the proposed driveway will be gravel replacing asphalt.

Member comment: Mrs. Weston asked what is at the top of the bank after the existing edge of lawn in the back. Mr. Landers-Cauley replied there is a herbaceous layer but was unsure of

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what the plant species are and that everything from the downhill side was planted from a previous order. Mr. Landers-Cauley checked with the original applicant and was assured everything was planted according to the original order, that's why they applied for the certificate of compliance. Mrs. Weston clarified where that area was on the plan.

No public comment.

Motion made by Mr. Palumbo to close the public hearing and seconded by Mr. Ligor.  
All in favor.

Ms. Fitch reads the draft order of conditions to include: *All general conditions and special conditions pursuant to M.G.L 131 40 include: 1, 2,3, 4, 5,7, 9, 10, 12, 14, 15, 18, 19, 27, 28 and 29*

*Special conditions pursuant to Bourne bylaw article 3.7 include: 1, 5, 6, 7 and 9*

Motion made by Mr. Palumbo to move the draft to the final and seconded by Mr. Ligor.  
All in favor. **Motion Carried. 5-0-0.**

*Chm. Gray requested to take the request for certificate of compliance in succession for 128 Emmons Road.*

DEP File Number: SE7-1924

Applicant: Jonathan and Marni Levitt

Representative: J.E. Landers-Cauley, P.E.

Project Address: 128 Emmons Road, Monument Beach

Project: Certificate of compliance requested for order of conditions issued on 09/08/2015.

The proposed work included land management and restoration project within 100 ft. of a wetland resource area.

Ms. Fitch made a site visit on August 16<sup>th</sup>. The sycamore maple was removed and the native border was restored. There was an area for clothes line, that since has been completely removed and no longer on the site. Ms. Fitch recommends issuance of certificate of compliance.

Motion made by Mr. Ligor and seconded by Mr. Palumbo to grant.  
All in Favor. **Motion carried. 5-0-0.**

3) DEP File Number: SE7-2213

Applicant: Linda Kokoszka

Representative: JC Engineering, Inc.

Project Address: 77 Puritan Road, Buzzards Bay

Proposed Project: The tear down and rebuild of a single family dwelling, septic system, and associated utilities in the buffer zone of a coastal bank and salt marsh. This project is located within 100 ft. of a wetland resource area. **Continued from 8/04/22.**



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*Chm. Gray recused himself from this review. Mr. Palumbo takes over the review.*

Brad Bertolo of JC Engineering introduced himself and explained the proposed project. He also shared the flood plain map and identified surrounding homes. The existing house is roughly in the same location as the proposed house on a long but thin lot. The current septic tank is on the water side of the house with the current leaching pit near the shed, about 20 ft. from top of coastal bank. The other resource areas on the property are saltmarsh which comes into the property at the base of the hill and V flood zone by the water and AE on the bank. The steepness of the bank being greater than 4:1 and the top of bank rises up in elevation where the grade becomes less than 4:1. All grades south of the coastal bank have a slope less than 25%, which for the most part follows along the wire fence. The biggest challenge is the location of the septic system and after meeting with the Board of Health agent, the best situation is for the septic system to be located farther away from the bank, and in doing so the house will be a little closer to the resource area. The benefit will be relocating the septic with a brand new I/A system to reduce the nitrogen. The current back yard is all grass and the house demo will need variances from Board of Health which moves the house away from the front property line. The new layout will propose 61 ft. from the coastal bank to the proposed leaching facility. They proposed to change the current grade in the back yard and elevate the house to have a walkout basement in the back. The front yard will be filled-in and have that grade pitched towards the street. The proposed paved driveway will pitch down off the street eventually towards the wetland, and eliminated the grade from the front of the foundation forward. There will be two proposed small retaining walls left and right that will taper down as it moves towards the street, all of that work will be greater than 50 ft. from the coastal bank. The entire work proposed is within 100 ft. of the coastal bank, making the project area restricted. They proposed to change the grade in the back yard to make it half as steep as it is today. They are keeping the lawn in the back and hoping to lessen the runoff. They propose to have crushed stone or pervious material underneath the proposed deck and walkout to the basement. They added drywells to help with runoff on the four corners of the structure. The proposed house itself is wider to fit on the lot, but with adjusting some of the grading the driveway is pitched to the street. The elimination of the shed will considerably reduce surface runoff and improve surface water runoff of the proposed structure. It was found that there was some illegal dumping of grass clippings and leaves over the coastal bank, they proposed to hand remove that material and replant with salt tolerant species. The top of the coastal bank is delineated by a wire fence, which is a good barrier between the work in the yard and the top of coastal bank. The proposed deck will be on 4-5 sonotubes across the back and will be located where the existing shed and current leaching facility is, so that area will already be altered. There are a number of trees proposed to be removed across the front.

Agent comment: Ms. Fitch reported that it is a tough project due to the size of the lot and is happy to see the septic system moved landward away from the resource area. They don't want to see any structural creep, and they are removing the shed but the proposed deck does creep towards the resource. Ms. Fitch and Mr. Berman made a site visit a couple weeks ago and there is turf grass in the back yard about 5-10 ft. landward of the coastal bank, which is most susceptible to scour and erosion. She mentioned that they can discuss some native plantings to help with the stability of the bank.

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Member comment: Mr. Berman asked to clarify the top of the coastal bank and where the wire fence is located. Mr. Bertolo showed and explained that on the plan. He also showed the disturbed areas of some minor dumping that should be addressed at this time and for that area to be mitigated. Mr. Berman expressed that there were no obvious signs of stumping but that there should be no vista pruning unless vista pruning is approved. Also the deck will be moving seaward and would like to see some kind of markers/fence with mitigation, so that everybody knows you do not go passed that point. Mr. Bertolo explained the deck will be up one story with a basement walkout and the foundation will go 6 ft. further seaward. Mr. Berman asked for at least 6 ft. of a buffer and marker/fence.

No public comment.

Motion made by Mr. Ligor to close the public hearing and seconded by Mrs. Weston.  
All in favor.

Ms. Fitch reads the draft order of conditions to include: *All general conditions and special conditions pursuant to M.G.L 131 40 include:* 1, 2,3,5,7,9,10, 12, 14, 15, 18, 19, 27, 28 and 29

*Special conditions pursuant to Bourne bylaw article 3.7 include:* 4,5,6,7 and 9

**ASC-1)** A 6 ft. native vegetative buffer is required at the top of bank with a no mow delineation and split rail fence.

Motion made by Mrs. Weston to move the draft to the final and seconded by Mr. Ligor.  
All in favor. Chm. Gray abstained. **Motion Carried. 4-0-1.**

*Chm. Gray back as Chair at this time.*

**Request for Certificate of Compliance:**

1) **DEP File Number: SE7-2158**

**Applicant:** Robert A. & Sally Herbst

**Representative:** N/A

**Project Address:** 50 Lewis Point Road, Buzzards Bay

**Project:** Certificate of compliance requested for order of conditions issued on 8/03/2021.

Construction of a 4' wide wood stairway from top of coastal bank to the base of the slope and coastal beach. Within AE flood zone and 100 ft. of a wetland resource area.

Ms. Fitch made a site visit on August 12th and recommends issuance for the COC on the stairs. She advised the homeowner to watch out for scour and erosion where the piles of the top stairs are at the top of the bank.

Motion made by Mr. Palumbo to issue COC and seconded by Mr. Ligor.



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

**Request to Extend Order of Conditions**

1) **DEP File Number: SE7-2011**

Applicant: Joesph Botti Company

Representative: Farland Corp.

Project Address: 819 Head of the Bay Road (Lot 1), Buzzards Bay

Proposed Project: Proposed to raze and rebuild the existing dwelling utilizing the existing foundation, with a proposed attached garage and upgraded septic system. Within 100 ft. of a wetland resource area.

Ms. Fitch said this is a vacant lot and there was a clerical error that occurred in May 2021, Farland Corp. requested extensions for lots 1 & 2. Somehow only lot 2 made it to the agenda and was granted the extension. The building permit is up for lot 1 and it looked like an expired order of conditions. Farland Corp. forwarded the email of the request to extend and the check confirmation. Ms. Fitch recommends to grant retroactive 2 years extension.

Motion made by Mrs. Weston to grant the extension and seconded by Mr. Ligor. All in Favor. **Motion carried. 5-0-0.**

**Procedural**

Confirmatory vote for the action taken on the following dates:

**10-21-2021**

**Certificate of compliance**

1) Applicant: Kathrine Burke

DEP File Number: SE7-2073

Representative: Falmouth Engineering, Inc.

Project Address: 219 Scraggy Neck Road, Pocasset

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

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. 4-0-0.

**Motion made by Mr. Palumbo to confirm the votes seconded by Mr. Ligor.**

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

2) Confirmatory vote on previous meeting minutes: 09/02/21, 0916/21, and 10/07/21

Motion moved by Mr. Berman, and seconded by Mr. Szwed to approve minutes for

September 2, 2021. Mr. Berman yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.

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Motion moved by Mr. Berman, with condition that two suggested corrections be made to the minutes, motion seconded by Mr. Szwed to approve the meeting minutes for September 16<sup>th</sup>, 2021. Mr. Berman yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.

Motion moved by Mr. Berman, and seconded by Mr. Palumbo to approve the meeting minutes for October 7<sup>th</sup>, 2021. Mr. Berman yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.

**Motion made by Mr. Palumbo to confirm the votes seconded by Mrs. Weston.  
All in favor. Motion carried. 5-0-0.**

- 3) Enforcement at 81 Phillips Road, Sagamore Beach- Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr Palumbo.  
All in favor. Motion carried. 5-0-0.**

**11-04-2021**

**Request for Determination**

- 1) Applicant: Kimberly Morneau

File Number: CC21-22

Representative: Falmouth Engineering, Inc.

Project Address: 268 Shore Road, Bourne

Proposed Project: Construct new screened porch, rebuild and expand existing deck, access stairs. Continued from 10/21/2021.

Motion made by Mr. Ligor, and seconded by Ms. Leduc-Fleming to approve under a Negative Two Determination. Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, Chm. Gray yes.

Motion carries 4-0-0 under a Negative Two Determination.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

**Certificate of Compliance**

- 2) Applicant: William and Rosemary Dalton

DEP File Number: SE7- 1858

Representative: N/A

Project Address: 140 Eel Pond Road, Monument Beach

Proposed Project: Remove & Reconstruct a Single Family Dwelling.

Motion made by Mr. Ligor and seconded by Ms. Leduc-Fleming to accept the parcel. Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, Chm. Gray yes.



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Motion carries 4-0-0.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

- 3) 1. Vote to accept the ISWM deed conveyance language. 2. Vote to accept the ISWM parcel as open space under the protections noted.
1. Motion made by Ms. Leduc-Fleming and seconded by Mr. Ligor to accept the deed conveyance language.  
Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, and Chm. Gray yes.  
Motion carried. 4-0-0.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

2. Motion made by Mr. Ligor and seconded by Ms. Leduc-Fleming to accept the parcel. Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, Chm. Gray yes.  
Motion carried. 4-0-0.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

**01-06-2022**

- 1) Confirmatory vote on previous meeting minutes: 11/18/21 and 12/02/21.  
November 18, 2021-Motion made by Mr. Ligor, and seconded by Mr. Berman to approve meeting minutes. Motion carries 4-0-0. Minutes approved.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

December 2, 2021-Motion made by Mr. Ligor, and seconded by Mr. Berman to approve meeting minutes. Motion carries 4-0-0. Minutes approved.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

**05-19-2022**

**Notice of Intent**

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- 1) Applicant: Mitchell Mashnee Realty Trust  
SE7-2203

DEP File Number:

Representative: Holmes & McGrath

Project Address: 60 Rope Walk, Bourne

Proposed Project: 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 5/5/2022.

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

*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 Peter and seconded Paul to close to hearing. Motion carried 4-0-0.

Motion made by Peter and seconded Paul to close to hearing. Motion carried 4-0-0.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.**

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

- 2) Applicant: John Williamson

DEP File Number: SE7-2204

Representative: JC Engineering, Inc.

Project Address: 1 Kerna Drive, Buzzards Bay

Proposed Project: 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 5/5/2022.

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

*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 Peter and seconded by Paul to close to hearing. Motion carried 4-0-0.

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.**

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

- 3) April 21, 2022 Approved with corrections.

May 05, 2022 Approved with corrections.



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

**Motion made by Mrs. Weston to confirm the votes seconded by Mr. Palumbo.  
All in favor. Motion carried. 5-0-0.**

**Vote to excuse absent members**

Motion made by Mr. Ligor to excuse absent members and seconded by Mr. Berman.  
All in favor. **Motion carried. 5-0-0.**

**Report of the Conservation Commission**

Ms. Fitch reported that there is a statement up on the Town website regarding the Mashnee Marsh. If anyone asks to send them to the website and the number for the Conservation Department is listed for any further questions.

There is an applicant looking into putting a commercial pier in Town and the term pier is used in general in the regulations, which is referencing small residential piers. Not anticipating commercial piers, there is a revision to include the term Marina District to the definition section. The Marina Districts would include the physical layout of the Marina and the mooring fields as they are defined by the Corps of Engineers.

**II. Adjournment**

Motion made by Mr. Ligor to adjourn and seconded by Mrs. Weston.  
All in favor. **Motion carried. 5-0-0.**

Minutes typed by: Amalia Amado, Administrative Assistant

Recorded & Edited by: Stephanie Fitch, Conservation Agent