

## **CONSERVATION COMMISSION MINUTES**

**Thursday, November 5, 2015 ~ 7 pm ~ Lower Conference Room, Bourne Town Hall**

Chm. Gray called meeting to order at 7:00 pm and explained the Commission's procedure pursuant to the Wetland Protection Act M.G.L. c. 131, s. 40 and the Bourne Wetland Protection Bylaw Article 3.7.

Note: Chm. Gray addresses the audience in regards to recording a public hearing. If anyone wishes to record a public meeting, they are free to do so, however, it must be known by the Board and the public. All cell phones are to be placed on vibrate or turned off during the meeting.

Members present: Chm. Robert Gray, Robert Palumbo, Peter Holmes, Susan Weston and Thomas Ligor

Members excused: Betsy Kiebal, Martha Craig Rheinhardt, and Associate Member Paul Szwed

### **Request for Determination of Applicability:**

1) Applicant:	Andrew Campbell	File Number: CC15-49
Representative:	SAME	
Project Address:	13 Bell Road, Bourne	
Proposed Project:	Construct a carport, garage, and shed within an AE Flood Zone	
	Hearing Under State Act Only	

Mr. Campbell representing – seeking to build a carport for a camper coming off the side of an existing garage which is far away from the wetlands. Garage will be unfinished but will be housing boats and for work done on boats. Shed will house kabota tractor and lawn mower. He is applying for all three structures on the same permit per Brendan Mullaney.

Brendan Mullaney – all work is in the flood zone only, over 100 feet from wetland resource area. Existing, developed lot and no concerns with the project.

No board comments. No public comments.

Holmes moved and seconded by Ligor for a Negative Two Determination. Unanimous vote.

2) Applicant:	National Grid	File Number: CC15-50
Representative:	Coastal Engineering Co., Inc.	
Project Address:	129 Old Dam Road, Bourne	
Proposed Project:	Extend existing gas main and install service connection within an AE Flood Zone and within 100 feet of a Wetland Resource Area	

Mr. Brad Malo representing – proposed gas main extension going along the south side of Old Dam Road. Wetland is to the south of the property. Any disturbed areas will be returned to prior conditions. Service connection will be needed to the house.

Brendan Mullaney – relatively standard project, erosion control was provided and no concerns with the project.

No board comments. No public comments.

Holmes moved and seconded by Weston for a Negative Two Determination. Unanimous vote.

3) Applicant: Henry & Marie Cote File Number: CC15-51  
Representative: Shawn MacInnes, MacInnes Consulting  
Project Address: 2 Pine Hill Road, Cataumet  
Proposed Project: Upgrade to new Title V septic system within an AE Flood Zone and within 100 feet of a Wetland Resource Area

Mr. Shawn MacInnes representing – applicant seeking new Title V septic system. Installing a tank in two chambers, keeping as far away from the resource area as possible.

Brendan Mullaney – this is a small lot and the system is being moved as far away from the wetland as the lot will allow. This will be an improvement over what is there and no concerns with the project.

No board comments. No public comments.

Holmes moved and seconded by Palumbo for a Negative Two Determination. Unanimous vote.

4) Applicant: Joseph Brosnan File Number: CC15-52  
Representative: Shawn MacInnes, MacInnes Consulting  
Project Address: 49 King Phillip Road, Pocasset  
Proposed Project: Upgrade to new Title V septic system within an AE Flood Zone and within 100 feet of a Wetland Resource Area

Mr. Shawn MacInnes representing – this is a standard upgrade to a Title V system which will be kept as far away from the resource area.

Brendan Mullaney – he feels the proposed work is a small job and the system will be a vast improvement over existing conditions. No other concerns with the project. Chm. Gray suggested elevations be the true elevations.

No board comments. No public comments.

Holmes moved and seconded by Palumbo for a Negative Two Determination. Unanimous vote.

5) Applicant: Colonial Gas File Number: CC15-53  
Representative: Amanda Crouch-Smith, Tighe & Bond  
Project Address: 6 Salt Works Lane, Buzzards Bay  
Proposed Project: Extend an existing gas main and install a gas service connection within an AE Flood Zone Hearing Under State Act Only

Ms. Crouch-Smith representing – applicant seeks to install gas service connection to an existing gas main within a flood zone.

Brendan Mullaney – this is in the flood zone and no other resource areas within 100 feet and no concerns with the project.

No board comments. No public comments.

Palumbo moved and seconded by Holmes for a Negative Two Determination. Unanimous vote.

6) Applicant: Deborah Matthews File Number: CC15-54  
Representative: Barbara Frappier, Warwick & Associates, Inc.  
Project Address: 79 Tahanto Road, Pocasset  
Proposed Project: License and maintain existing pipe anchored floats within an AE Flood Zone and within a Wetland Resource Area

Brendan Mullaney – Ms. Frappier had a conflict, but did turn in all abutter cards and he can briefly review project. There is no work in this application, only a license. DNR has been issuing a dock permit since the mid 1970s. He believes the property is going to be sold and thus is the reason for application tonight.

No board comments. No public comments.

Holmes moved and seconded by Palumbo for a Negative Two Determination. Unanimous vote.

**Notice of Intent:**

1) Applicant: Pinnacle Site Contractors, LLC DEP File Number: SE7-1915  
Representative: JC Engineering, Inc.  
Project Address: 0 Crab Rock Way, Sagamore Beach (“The Strand” below Indian Trail)  
Proposed Project: Construct a stone revetment and perform coastal bank stabilization within a VE Flood Zone and within a Wetland Resource Area  
(Continued from October 15, 2015)

Applicant requested a continuance to 11/19/15. Brendan Mullaney stated Town Counsel will come in that evening to discuss any pending legal issues.

### **Requests for Certificate of Compliance:**

1) Applicant: Florence Flosgate                      DEP File Number: SE7-926  
Representative: Peter Conathan, Counselor at Law  
Project Address: 7 Oyster Lane, Pocasset  
Proposed Project: License and maintain an existing pier within an AE Flood Zone and within a Wetland Resource Area

Brendan Mullaney – a site visit was conducted and he has determined compliance with the Order.

Ligor moved and seconded by Holmes to grant Certificate of Compliance. Unanimous vote.

2) Applicant: Carmen & Grace Difilippo      DEP File Number: SE7-1906  
Representative: JC Engineering, Inc.  
Project Address: 2 Brom Dutcher Road, Buzzards Bay  
Proposed Project: Remove an existing failing concrete seawall and replace with a concrete block seawall within an AE Flood Zone and within 100 feet of a Wetland Resource Area

Brendan Mullaney – a site visit was conducted and he has determined compliance with the Order. Two minor deviations (terrace area sand vs. small stone and fence on the wall).

Ligor moved and seconded by Holmes to grant Certificate of Compliance. Unanimous vote.

3) Applicant: Peter Newell                      DEP File Number: SE7-392  
Representative: SAME  
Project Address: 22 Quamhasset Road, Buzzards Bay  
Proposed Project: Construct a new single family dwelling and Title V septic system within an AE Flood Zone and within 100 feet of a Wetland Resource Area

Brendan Mullaney – a site visit was conducted and he has determined compliance with the Order.

Palumbo moved and seconded by Holmes to grant Certificate of Compliance. Unanimous vote.

4) Applicant: Peter Newell                      DEP File Number: SE7-1011  
Representative: SAME  
Project Address: 22 Quamhasset Road, Buzzards Bay  
Proposed Project: License and maintain an existing stone seawall within an AE Flood Zone and within a Wetland Resource Area

Brendan Mullaney – a site visit was conducted and he has determined the project to be compliance with the Order. This is for the seawall only.

Palumbo moved and seconded by Ligor to grant Certificate of Compliance. Unanimous vote.

**Excuse Absent Members**

Ligor moved and seconded by Holmes to excuse absent members. Unanimous vote.

**Public comment**

None.

**Approval of minutes**

Holmes moved and seconded by Palumbo to approve minutes of May 7, 2015 as submitted. Unanimous vote.

Palumbo moved and seconded by Holmes to approve minutes of May 21, 2015 as submitted. Unanimous vote.

**Adjourn**

Ligor moved and seconded by Palumbo to adjourn. Meeting adjourned at 8:20 PM. Unanimous vote.

Respectfully submitted – Lisa Groezinger, sec.