

# Select Board Meeting Notice AGENDA



Date

March 28, 2023

Time

7:00 PM

Location

Bourne Veterans' Community Building  
239 Main St., Buzzards Bay  
Or virtually (see information below)

*The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by BourneTV. If anyone is audio or visual recording, please acknowledge it at this time.*

**Zoom Meeting ID: 869 5775 5505**

**Password: BOURNE**

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099** entering the ID/pass above.

All items within the meeting agenda are subject to deliberation and vote(s) by the Select Board.

## **7:00 PM Call Public Session to Order in Open Session**

1. Moment of Silence to recognize our troops and our public safety personnel
2. Salute to the flag
3. Vision: Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
4. Mission: Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. Public comment on non-agenda items - Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
6. Appointments and Licenses
  - a. Common Victualler's License for Jersey Mike's at 2 Bourne Bridge Approach
  - b. Common Victualler's License for Rise and Dine Café at 254 Shore Road
7. Select Board's Business
  - a. Parking waiver request for Hen Cove beach parking lot on 6/9 from 5:30pm-11:00pm for guests of Martha Turgeon

TOWN CLERK BOURNE

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- b. Discussion and possible vote to accept a \$50 donation to the Bourne Library.
- c. Discussion and possible vote to accept a \$30 and a \$20 donation to COA.
- d. Discussion and possible vote to declare 5 police vehicles surplus to be used as trade-ins for future replacements.
- e. Annual Town Meeting Warrant Articles
  - i. Article 2 – FY24 operating budget
  - ii. Article 3 – FY24 sewer enterprise budget
  - iii. Article 4 – FY24 ISWM enterprise budget
  - iv. Article 5 – FY24 capital budget
  - v. Article 8 – CPA projects
  - vi. Article 9 – CPA administration
  - vii. Article 21 – Transfer of town land for the Keene House
- f. Special Town Meeting Warrant Articles
  - i. Article 1 – unpaid bills
  - ii. Article 2 – replace “Board of Selectmen” with “Select Board” in the General Bylaws
  - iii. Article 3 – funds to respond to the opioid epidemic
  - iv. Article 4 – FY23 (phase 2) capital budget
  - v. Article 5 – CPA – Keene House
  - vi. Article 6 – CPA – Chamber information booth at Bourne Rotary
  - vii. Article 7 – supplemental expenses for bike racks
  - viii. Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments
  - ix. Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments
- g. Town Meeting process and presenting Articles & motions
- h. Select Board Rules of Procedures
  - i. Section II. Procedure for Establishing Policies & Procedures
  - ii. Section VIII. Correspondence
  - iii. New Section – Certificate of Vote

8. Town Administrator report

9. Minutes: 3/7/23; 3/14/23

10. Correspondence

11. Committee reports

12. Other business

13. Upcoming meetings – April 4 (execute warrant); April 18 (Special Events Policy Workshop); April 25 (BOSC)

14. Adjourn



**Select Board  
Minutes of Tuesday, March 28, 2023  
Bourne Veterans' Community Center – Rm 2  
Buzzards Bay, MA  
Or Virtually**

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**TA Marlene McCollem**

**Select Board**

Peter Meier, Chair  
Melissa Ferretti, Clerk  
Judith Froman  
Mary Jane Mastrangelo

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2023 MAY -2 AM 9:43  
TOWN CLERK BOURNE

Jared MacDonald was excused from this meeting.

Others: Erica Flemming, Finance Director (virtual), Mike Ellis, Town Accountant (virtual), Chris Southwood, Natural Resources Director, (virtual), John York (virtual), Sheila Lyons (virtual), Carol Georgeson (virtual), Ann Phelan (virtual), Barry Johnson, Town Clerk (virtual), Mavis Robinson (virtual), Jordan Geist, Business Manager, Bourne Public Schools (virtual), Martha Turgeon (virtual), Peter Perroni (virtual), Bob Samoluk (virtual), Matt West (virtual), Bill Doherty, James Sullivan (virtual), Robert Dwyer, Amy Kullar, Town Moderator, Renée Gratis, Sue Ross, Heather DiPaolo (virtual), John York (virtual), Steven Strojny, and Terri Guarino (virtual).

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**Zoom Meeting ID: 869 5775 5505      Password : BOURNE**

All items within the meeting agenda are subject to deliberation and vote(s) by the Select Board.

**7:25 PM Call Public Session to Order in Open Session**

- 1. Moment of Silence to recognize our Troops and our public safety personnel and to the people affected in Nashville yesterday.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.
- 4. Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with

others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.

- 5. Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

John York started by saying he said it is impressive to see how well the Town is functioning with the current, fairly new, staff and Select Board. He said that the Town of Bourne is in the middle of a stressful time regarding the bridges and he is in the middle of it, and apologized if he has caused anyone stress over the bridges.

Bill Doherty of Cataumet said that symbols are very important. He said that there is a Town flag, a County Flag, a Commonwealth of Massachusetts, and an America flag. He said that there are other symbols that are there to inform and others that people do not even know about. He said that he is at the meeting to suggest that the Select Board charge the Human Service Committee with coming up with some type of symbol that represents diversity and includes all the different parts of the community. It should include a policy about how it can be displayed and used. It also should include the star of David, the crescent, the cross and a Wampanoag symbol. He said that this would be the first step in a path that could lead to serve all in the Town.

**6. Appointments and Licenses:**

- a. Common Victualler's License for Jersey Mike's at 2 Bourne Bridge Approach.**
- b. Common Victualler's License for Rise and Dine Café at 254 Shore Road.**

**6.a. Common Victualler's License for Jersey Mike's at 2 Bourne Bridge Approach.**

Matt West said that he is excited to be bringing Jersey Mikes to the Town of Bourne. He explained a little about Jersey Mike's business. He said that tomorrow (March 29<sup>th</sup>) is the biggest day of the year because each one of his Jersey Mike's stores will be donating every dollar made to the Doug Flutie Junior Foundation for Autism. He said they do it every year and last year his four stores raised over \$50,000. on this day. Chair Peter Meier welcomed him to the Town and Melissa Ferretti said that she appreciated the fact that they serve fresh food.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the application for a Common Victualler's license for Mass. Subs 5, LLC, d/b/a Jersey Mike's Subs, Matt West, Manager at 2 Bourne Bridge Approach as conditioned by the Health Department's comments.

**Vote:** 4-0-0.

**6.b. Common Victualler's License for Rise and Dine Café at 254 Shore Road.**

Town Administrator Marlene McCollem said that they are still working with the applicant, so the agenda item was tabled.

**7. Select Board's Business**

- a. **Parking waiver request for Hen's Cove Beach parking lot on 6/9 from 5:30 PM – 11:00 PM guests of Martha Turgeon.**
  - b. **Discussion and possible vote to accept a \$50. donation to the Bourne Library.**
  - c. **Discussion and possible vote to accept a \$30. and a \$20. donation to the COA.**
  - d. **Discussion and possible vote to declare 5 police vehicles surplus to be used as trade-ins for future replacements.**
  - e. **Annual Town Meeting Warrant Articles**
    - i. **Article 2 – FY24 operating budget**
    - ii. **Article 3 - FY24 sewer enterprise budget**
    - iii. **Article 4 - FY24 ISWM enterprise budget**
    - iv. **Article 5 - FY24 capital budget**
    - v. **Article 8 – CPA projects**
    - vi. **Article 9 – CPA administration**
    - vii. **Article 21 – Transfer of town land for the Keene House**
  - f. **Special Town Meeting Warrant Articles**
    - i. **Article 1 – unpaid bills**
    - ii. **Article 2 – replace :Board of Selectmen” with “Select Board” in the General Bylaws**
    - iii. **Article 3 – funds to respond to the opioid epidemic.**
    - iv. **Article 4 – FY23 (phase 2) capital budget**
    - v. **Article 5 – CPA – Keene House**
    - vi. **Article 6 – CPA – Chamber information booth at Bourne Rotary**
    - vii. **Article 7 – supplemental expenses for bike racks**
    - viii. **Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments**
    - ix. **Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments**
  - g. **Town Meeting process and presenting Articles & Motions**
  - h. **Select Board Rules of Procedures**
    - i. **Section II. Procedure for Establishing Policies & Procedures**
    - ii. **Section VIII. Correspondence**
    - iii. **new Section – Certificate of Vote**
- 7.a. **Parking waiver request for Hen's Cove Beach parking lot on 6/9 from 5:30 PM – 11:00 PM guests of Martha Turgeon.**
- Deferred until later in the meeting.
- 7.b. **Discussion and possible vote to accept a \$50. donation to the Bourne Library.**

**Voted:** Melissa Ferretti moved, and Mary Jane Mastrangelo seconded to accept a gift in the amount of \$50. from Mr. John Parks to benefit the Jonathan Bourne Public Library.

**Vote:** 4-0-0.



**7.c. Discussion and possible vote to accept a \$30. and a \$20. donation to the COA.**

**Voted:** Judith Froman moved, and Melissa Ferretti seconded to accept a gift in the amount of \$30. from Mr. Robert Castle to benefit the Bourne Council on Aging and to further accept a gift in the amount of \$20 from Ms. Olympia Walker to benefit the Council on Aging.

**Vote:** 4-0-0.

**7.d. Discussion and possible vote to declare 5 police vehicles surplus to be used as trade-ins for future replacements.**

Ms. McCollem said that there is a Capital article to replace 5 cruisers, and this is declaring the ones that will be taken out of the fleet as surplus and apply the trade in value to the new vehicles.

**Voted:** Judith Froman moved, and Melissa Ferretti seconded to authorize the disposal of 5 police vehicles by trade in to McGovern Automobile Group as identified in the March 23<sup>rd</sup>, 2023, email from Chief Esip, and included in the meeting materials the trade in value shall be applied as a credit to the future purchase of the replacement police cruisers.

**Vote:** 4-0-0.

**7.a. Parking waiver request for Hen's Cove Beach parking lot on 6/9 from 5:30 PM – 11:00 PM guests of Martha Turgeon.**

Martha Turgeon said that they are having a rehearsal dinner for her son's wedding, and they do not want to clog up traffic on the street. Ms. McCollem said that if the Select Board wishes to waive the requirement, then parking stickers will not be enforced for that time. Mary Jane Mastrangelo said that if they waive for parking, then it will be for anyone that wants to park there, and not just their guests.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to waive the beach sticker parking for the Circuit Ave Public Beach on the evening of June 9<sup>th</sup>, 2023, from 5:30 PM to 11:00 PM.

**Vote:** 4-0-0.

Chair Meier said that he was going to take item 7.g. out of order of the agenda.

**7.g. Town Meeting process and presenting Articles & Motions**

Chair Meier said that the Finance Committee voted a while ago and the Chair came in and notified the Select Board under Public Comment that they will not be doing the format that they have done in years past for this upcoming Town Meeting. He said that means that someone else will have to do the articles and give descriptions for each article. He said the Finance Committee will be giving recommendations on the articles that they feel comfortable with. Renée Gratis said that by Charter the Finance Committee must give their recommendation on all articles.

Ms. Mastrangelo said that she feels that there has been some communication difficulty by the wording that has been used, whether it be present the article or recommend the article. She said that her understanding from what the Finance Committee voted and from watching the Yarmouth

Town Meeting that they gave as a reference, is at the Yarmouth Town Meeting, the only thing that the Finance Committee does is say what they voted on if they recommend an article or not and what the vote was.

There was some discussion about what the Town of Yarmouth does. Ms. Gratis said that the Bourne Finance Committee, at Town Meetings, will give their vote and they will also state how and why they voted that way, and act as an advisory committee to give their advice on the article.

Town Moderator, Amy Kullar said that she would like to meet with the Select Board or the Town Administrator to go over who is saying what at Town Meeting. She said that she likes to run the meeting by knowing what every person that is coming to the podium is going to say in case she has an issues with anything that comes up from the audience so that she can continue to conduct the meeting. She said that she writes down a script for the meeting for herself, and she likes to have it done by three weeks prior to the Town Meeting.

Ms. Mastrangelo said that she was on the Finance Committee for many years, and she explained the role of the Finance Committee and the processes in past Town Meetings. She said that she thinks that it is the Finance Committee's job to advise Town Meeting and it has always worked well, and if they don't want to do it, she is open to trying a new way. Chair Meier said that he agrees with Ms. Mastrangelo, and that it has been tradition for many years and the people of this community are used to the Finance Committee being a check and balance and their recommendations are very important to how they are going to vote. He said that he does not agree with the change in the process, but the Finance Committee has voted on it and that they cannot fight about it.

There was some more discussion about a pre-Town Meeting with the Moderator, and she stated what she would be like to be given before the Town Meeting and her timeline for getting prepared for the Town Meeting.

Judith Froman said that she thinks it is a good idea to try something a little bit different and she has sat in the audience and at the front table and has wondered why the Select Board has not been more vocal or visible. She said that the Select Board are the people that the Town votes in to be running the oversight of the decisions in the Town. She said that many of the articles are put forward by the Select Board. She said that it makes a lot of sense, and the Finance Committee will still be reporting on what their votes are and how they arrived at that vote.

There was some discussion about the steps that will be taken at Town Meetings. The plan will be that the Moderator will recognize a Select Board member to read the motion, it gets seconded, the explanation of the article is given, then the Select Board gives the Select Board recommendation, then the Moderator will turn to the Finance Committee for the Finance Committee's recommendation, then it will move to questions from the floor. Prior to Town Meetings, there will be an identification of what staff member or Select Board member that will take the questions. Ms. Mastrangelo said that she would draft a warrant tracker.

Ms. Kullar said that there are two vacancies on the Finance Committee and if anyone is interested, they should go to the Town of Bourne website and click on the Moderator page for the

application. Ms. Froman added that the positions for the Finance Committee are Moderator appointed positions.

**7.e. Annual Town Meeting Warrant Articles**

- i. **Article 2 – FY24 operating budget** – Ms. McCollem said that articles 2,3,4 and 5 are the operating budget, the enterprise budgets, and the capital budget for FY24.
- ii. **Article 3 - FY24 sewer enterprise budget**
- iii. **Article 4 - FY24 ISWM enterprise budget**
- iv. **Article 5 - FY24 capital budget**
- v. **Article 8 – CPA projects** – Barry Johnson said that on March 22<sup>nd</sup>, the CPC voted to recommend all the projects that are before the Select Board. He said that the Water Bottle project is for \$30,000., the Pocasset Community Building is for \$20,000, and there is a project in Dennis for people with autism and related disabilities.

Sue Ross, Chair of Bourne Affordable Housing Trust, and Housing Partnership, said that every year they go before the CPA Committee to ask for money for various projects, and it's mostly for administrative costs. She explained that the state makes deed changes frequently and to do things correctly, they have contracted with Housing Assistance Corporation to do their monitoring for housing. The cost for this monitoring is \$15,600. a year. She said that they are using some of their money to assist with housing lotteries.

Ms. Ross also said that due to grants, they have been re-capturing money that has to go back into a repair program, and there are many rules and regulations from HUD regarding this money.

Chair Meier said that there was a question raised at last night's Finance Committee meeting about if Bourne's CPA fund can be used on a regional project and the answer is yes, they can.

Chris Southwood, Natural Resources Director, said he was at the meeting to bring forward the proposal to get funding for the Sagamore Beach emergency access ramp and for some stormwater improvements at 58 Sagamore Road. He said that there has been some erosion regarding the ramp, and which has created some hazardous conditions at some points. He explained what they plan to do, and what they have met about, regarding the parking lot and the ramp project. He said that they are asking for \$150,000 for construction that they hope they can start in October.

Heather Di Paolo of the Recycling Committee explained the Water Bottle Station project and how it would decrease the amount of plastic waste on the Town's



roadways. She said that they have earmarked spots at Clark Field and the Bourne School Campus. The CPA recommendation is \$30,000. for this project.

Jordan Geist, Business Manager, Bourne Public Schools, talked about request for a restoration project in the amount of \$20,368. for engineering services. The project is to improve access to a walkway that is located directly across from the entrance to the High School campus at 75 Waterhouse Road.

Barry Johnson said that the next project is for the Pocasset Village Foundation for the Pocasset Community Building for replacement of windows at the rear end of the hall. He said the original application was for \$15,000. and after the hearing, the CPC felt that this should be increased to \$20,000. Robert Dwyer explained the project to the Select Board.

Carl Georgeson, Chair of the Board of Governors for the Town of Bourne Historical Center, said that at the Archive Building they would like to paint the cupola, the trim on the front of the building, the bulkhead and handicapped railing at the back of the building. He said that they are asking for \$20,000.

Barry Johnson said that the next project is the moving of the information booth that is currently located on the Cumberland Farms property. Mr. Georgeson said that this request of \$45,000. is to move the current existing booth from the grounds at Cumberland Farms to the VFW, and for renovations of the structure. Mr. Doherty suggested that they build a new structure which is essentially replacing an old shed that would be a replica of what this represents as an alternative.

Barry Johnson said that the CPC is recommending \$250,000. for the next project which is the Keene House project. Chair Meier said that he is the Senior Vice President of the Bourne Historical Society and is also an advocate for this project, so he wanted to disclose that he is going to recuse himself as part of this discussion.

Mavis Robinson, Bourne Historical Society, explained the project of acquiring the Keene House, which is currently located at 9 Sandwich Road, and the moving of it to the Aptuxet Trading Post Museum property, and the history of this project request. Mr. Doherty said that he enthusiastically supports this project.

**vi. Article 9 – CPA administration**

Mr. Johnson said that this article has been on the Town Meeting warrant for many years, and he said that the CPC is allowed up to 5% of revenues generated for CPA that they are requesting \$75,000.

**vii. Article 21 – Transfer of town land for the Keene House**

Chair Meier said that this is a plan B in case the move of the Keene House does not work out to be moved to Aptuxet, as it gives the Bourne Historical

Society some flexibility to maybe move the house across the street, provided Town Meeting approves the article.

#### 7.f. Special Town Meeting Warrant Articles

Chair Meier said he was going to take articles 8 and 9 out of order.

##### **Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments & Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments**

Chair Meier said that articles 8 and 9 are private petition articles. Steven Strojny said that they filed two petitions – one is for the repeal of the ban of cannabis that is currently in place in the Town and the other petition was proposed zoning bylaws so that if the ban is repealed that there are rules as to where a marijuana establishment could go. He said that he was on the Planning Board the last time this came around to the Annual Town Meeting, and he was involved with the draft of the zoning bylaws. He said there seems to be movement in Town about repealing the ban, and he started discussing it with people and he feels the time is right to bring this back to the voters. He said that the Town is missing out on a lot of revenue.

There was some discussion about the zoning bylaws. Mr. Strojny explained the bylaws and he talked about the changes that have happened in the past 4 years.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to make consideration of Special Town Meeting article number 9 contingent upon approval of Special Town Meeting article number 8

Mary Jane Mastrangelo withdrew her motion and Judith Froman withdrew her second.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded that the private petition zoning bylaw to allow marijuana establishments be contingent on the passage of the private petition appeal of bylaw section 3.1.45 prohibition on marijuana.

**Vote:** 4-0-0.

Chair Meier agreed with Mr. Strojny about the Town of Bourne missing out on revenue, and he feels that it is time for the Town to allow its property owners to have the chance to be able to open their own marijuana businesses in the Town. There was some discussion about the last time this was voted, and about other communities that have allowed medical and recreational establishments to be opened.

**i. Article 1 – unpaid bills**

Withdrawn.

**ii. Article 2 – replace: “Board of Selectmen” with “Select Board” in the General Bylaws**

**iii. Article 3 – funds to respond to the opioid epidemic.**

Ms. McCollem said that the Town has signed onto some class action lawsuits against pharmaceutical companies, distributors and pharmacies, and the Town is beginning to receive the settlement funds. She said the funds are specifically identified to be used for prevention, harm reduction, and treatment in response to the opioid epidemic. They are currently closed out to Free Cash because the state has not set up the legal mechanism yet to keep these as a receipt reserved for appropriation, which will be forthcoming. She said that \$165,000. has been received. Terri Guarino said that the funds started coming in November of 2022. There was some discussion on the implementation of the money.

**iv. Article 4 – FY23 (phase 2) capital budget**

Ms. McCollem said that there are no new additional projects, but they want to move some of the items, especially the vehicles, onto the Special so that the funds are available immediately and orders can be placed before July 1.

**v. Article 5 – CPA – Keene House**

Previously discussed.

**vi. Article 6 – CPA – Chamber information booth at Bourne Rotary**

Previously discussed.

**vii. Article 7 – supplemental expenses for bike racks**

Ms. McCollem said that the Town received a reimbursement grant for bike racks that involved reimbursement for the cost of the racks but not for the labor and installation. She said the project was a little bit delayed and they were not able to submit in time the reimbursements for all the bike racks that were purchased so there is a small amount of money that is needed from Free Cash to cover the cost. Although Ms. McCollem did not have the exact amount of the request, she said that it will be in the motion.

**viii. Article 8 – Petition – Repeal of Bylaw Section 3.1.45 – Prohibition on Marijuana Establishments**

Previously discussed.



**ix. Article 9 – Petition – Zoning Bylaw – to allow Marijuana Establishments**

Previously discussed.

**7.g. Town Meeting process and presenting Articles & Motions**

Previously discussed.

**7.h. Select Board Rules of Procedures**

Chair Meier said that the House and Senate has approved remote meetings until 2025.

**i. Section II. Procedure for Establishing Policies & Procedures**

Judith Froman read aloud her version of the first step of what steps should be taken regarding the procedure for establishing policies and procedures. There was some discussion about what she had written. They discussed the timeline for establishing policies, and about how to begin. Ms. Mastrangelo thinks that a bimonthly meeting on policy needs to be in place. Chair Meier said that they can continue this discussion at the April 18<sup>th</sup> meeting.

**ii. Section VIII. Correspondence**

To be discussed at the April 18<sup>th</sup> meeting.

**iii. new Section – Certificate of Vote**

Ms. McCollem said that what she is trying to capture here is how to document actions that don't have other paperwork associated with them. She said that she thinks the key role of the certificate of vote is to document an action that doesn't otherwise have anything produced by its proceedings.

There was some discussion about certificates of vote for fees. Ms. McCollem said that the fee schedule should always be on file with the Town Clerk. She said that she recommends going forward that they now have that as attachment C, which is the fee schedule, and every year the date on attachment C should change and be re-filed with the Town Clerk. She said that regarding fees or rules and regulations, the certificate of vote is not good enough, and the document itself has to be filed with the Town Clerk.

Barry Johnson said that he has reviewed what Ms. McCollem has proposed and he has listened to the discussion, and he supports what Ms. McCollem is proposing. He thinks that her proposal is a great first start and will clarify some stuff between their two offices. John York suggested that the Select Board might need to have a policy on when people come to the Select Board with a presentation that they are expected to leave a copy of their presentation. The Select Board agreed that there should be a policy regarding these presentations. There was more discussion about the presentations becoming part of the public record for the meeting.

**8. Town Administrator's Report**

Ms. McCollem said that Bourne has received their interim compliance letter from DHCD for the MBTA Zoning Action plan.

Ms. McCollem also said that the chemical oxidation cleanup for the soil contamination at the Community Building has been awarded and the field injections are scheduled for the week of June 5<sup>th</sup> through 9<sup>th</sup>. There could be some parking and circulation changes during that time.

**9. Minutes: 3/7/23; 3/14/23**

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the minutes of March 7<sup>th</sup>, 2023.

**Vote:** 4-0-0.

**Voted:** Melissa Ferretti moved, and Judith Froman seconded to approve the minutes of March 14<sup>th</sup>, 2023.

**Vote:** 4-0-0.

**10. Correspondence**

Melissa Ferretti read aloud the correspondence:

- 2 DEP Letters.
- Email regarding bridge replacement – B. Cromer.
- Email regarding rail removal - J. Spears.
- Talent Bank Form – BHPC (Bourne Housing Partnership Committee) – C. Spilhouse.
- Abutters notification - work at 2 Kendal Rae Place.

These are all on the Town's website.

**11. Committee Reports**

Ms. Froman said that there was a CCMPO meeting yesterday. She said that the Cape Cod Canal bridges are on the agenda every month, and there were no new updates on them. She said one of the newest topics is the addition of the reliability congestion and emissions performance targets, while working together with MassDOT. She said that they ended up adopting what the targets are for the State because it is a new area and there isn't a lot of information in which to study from this region.

Ms. Froman said that they reviewed the Public Transportation Agency Safety plan and she talked about some of the other topics that they talked about at the meeting.

**12. Other Business**

None.

- 13. Upcoming meetings: April 4 – (execute warrant); April 18 (Special Events Policy Workshop); April 25 (BOSC)**

Chair Meier said that tomorrow night is the Sagamore Bridge discussion.

- 14. Adjourn**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to adjourn.

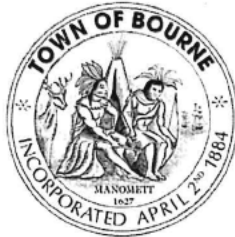
**Vote:** 4-0-0.

This meeting of the Bourne Select Board was adjourned at 10:01 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary





TO THE LICENSING AUTHORITY OF THE TOWN OF BOURNE:

The Undersigned hereby makes application for a

COMMON VICTUALER'S LICENSE ☒

Under MGL, Chapter 140

FOOD VENDOR'S LICENSE ☐

Under Town of Bourne Bylaws

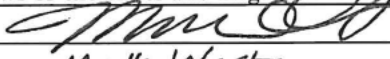
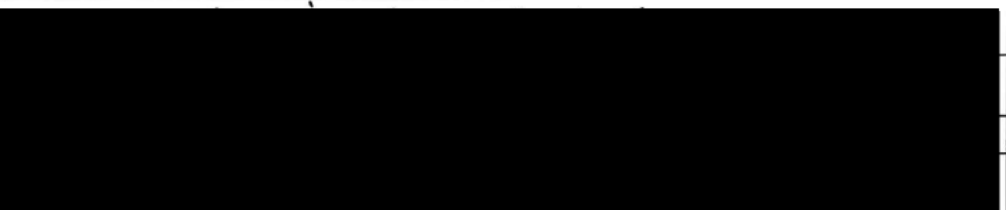
Article 3.5

Location:	2 Bridge Approach St - Jersey Mike's Subs
Corporate Name:	Mass Subs 5 LLC d/b/a Jersey Mike's Subs
Individual/Partnership:	Partnership
Business Name:	Mass Subs 5 LLC
Manager:	Matt West
Date:	2/17/2023

We/I hereby agree to conform in all respects to the conditions governing such license as printed in the Bylaws of the Town, and such other rules and regulations as the Town may establish.

With the signing of this application the applicant acknowledges that:

- (a) It is understood that the Town is not required to grant the license;
- (b) In the event of a proposed sale of a business requiring a *Common Victualer and/or Food Vendor's License*, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained),
- (c) That the license is subject to revocation if the holder of the license does not comply with state law, town bylaws or the Rules and Regulations.

Signature Name:	
Print Name:	Matt West
Business Address:	
Home Address:	
Phone:	
Email:	

- NOTE: (a) If a corporation, state full names and addresses of principal officers;  
(b) If a co-partnership, information must be provided on each partner; if corporation information must be provided on corporate officer making application.

Name: Matt West

Name: Mike Esposito

Photo (1 inch x 1 inch)

The Establishment shall operate as:

- ( ) Sole ownership  
(☒) Limited Liability Corporation  
( ) Partnership - Total Number of Partners \_\_\_\_\_  
( ) Corporation based in \_\_\_\_\_

Corporate information (if applicable):

President: Matt West  
CEO

Secretary: Mike Esposito  
CFO

Treasurer: \_\_\_\_\_

(Name)

(Address)

INFORMATION RELATIVE TO APPLICANT

Is the property owned by you? (Please Check) Yes \_\_\_\_\_ No ☒

Tenant at Will \_\_\_\_\_

Lease ☒ Years 10

Hours of Operation: 10am - 9pm Mon - Sun

Floor Space 1650 Sq. Ft. Seating capacity 16

Parking capacity 95 spaces Number of Employees 20

One (1) copy of the following items must be submitted with the application:

1. Layout plan of facility and fixtures
2. Site Plan including Parking

If the facilities are not yet completed, provide estimated cost of work to be done:

\$ 400,000

03/20/2023

Book: XXII  
Page: 79  
Expiration: 03/20/2027

***Town of Bourne***  
***The Commonwealth of Massachusetts***

---

**BUSINESS CERTIFICATE**

---

**JERSEY MIKE'S SUBS**

**2 BOURNE BRIDGE APPROACH BUZZARDS BAY, MA 02532**

**Phone: SS#/FID#:**

---

In conformity with the provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of JERSEY MIKE'S SUBS conducted at Number 2 BOURNE BRIDGE APPROACH by the following person(s):

Name	Address
WEST MATT	109 CJ CUSHING HWY SCITUATE, MA 02066



WEST MATT

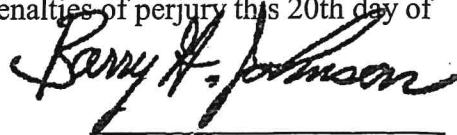
Phone #:

ID:

Type of Business: SUB SHOP

---

Appeared before me the above named person(s) and acknowledged the foregoing to be a true and accurate account, given under the pains and penalties of perjury this 20th day of March 2023.



In accordance with the provisions of Massachusetts Laws the business certificate shall be in effect for a period of 4 years from the date of issue and shall be renewable by the applicant every four years thereafter. In the event of discontinuance, withdrawal of partner, retirement, or amendment of the certificate in any manner it shall be necessary to file with the Town Clerk such change, under oath. Such change shall be recorded with and become part of the original filing. Copies of the Business Certificate shall be available at the address of the business and shall be furnished to any person(s), making purchases of goods or services upon request.

**Violations regarding the "Business Certificate" statute, so called, are subject to a fine of \$300.00 for each month of violation.**



**SITE  
LOCATION**

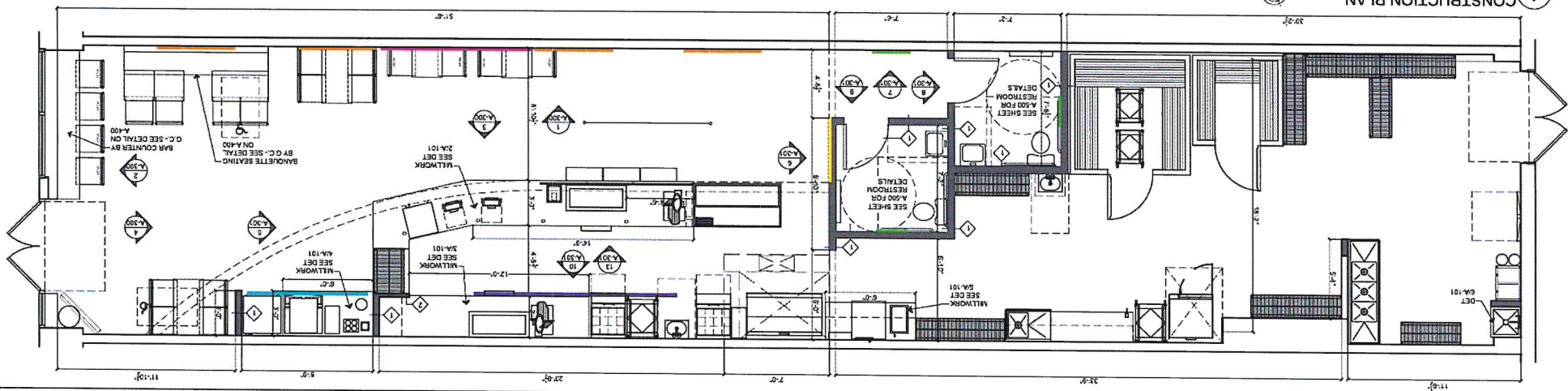
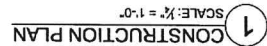
**STORE  
LOCATION**



**AERIAL VIEW OF SITE**









# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/10/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Hilb Group of New Jersey, LLC dba William H Connolly & Co 56 Park St Montclair NJ 07042	<b>CONTACT NAME:</b> Kelly Smuzinsky <b>PHONE (A/C, No, Ext):</b> (973) 744-8500 <b>E-MAIL ADDRESS:</b> ksmuzinsky@hilbgroup.com <b>FAX (A/C, No):</b> (973) 744-6021
<b>INSURED</b> Mass Subs 5 LLC 2 Bridge Approach St Bourne MA 02066-4413	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Selective Insurance Co of South Carolina <b>INSURER B:</b> Pennsylvania Manufacturers' Association Insurance Co <b>INSURER C:</b> Evanston Insurance Company <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>
	<b>NAIC #</b> 19259 35378

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		S 2470463	11/08/2022	11/08/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 HNO \$ 1,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			S 2470463	11/08/2022	11/08/2023	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	WCMA000360500	11/08/2022	11/08/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Employment Practices Liability			CML-Q23TWQ-B22	07/10/2022	07/10/2023	Per Claim \$500,000 Aggregate \$1,000,000 Retention \$25,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Mass Subs 5 LLC - Store#16044 - 2 Bridge Approach St, Bourne, MA 02532

Jersey Mike's Franchise Systems, Inc. & A Sub Above, LLC are Additional Insureds as Grantor of Franchisee when required by written contract with respect to General Liability per form# BP1405 7/13.

**CERTIFICATE HOLDER****CANCELLATION**

Jersey Mike's Franchise Systems, Inc. A Sub Above, LLC  
2251 Landmark Place

Manasquan

NJ 08736

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

















*Scott R. Keyme*

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**CVFV-23-2**

## Annual Common Victualler/Food Vendor License

**Status:** Active**Date Created:** Mar 20, 2023**Timeline**

Label	Status	Activated	Completed	Assignee	Due Date
 Submission received	Issued	Mar 20, 2023 at 3:22 pm	Mar 20, 2023 at 3:22 pm	-	-
 Application Content and Attachments	Complete	Mar 20, 2023 at 3:22 pm	Mar 20, 2023 at 3:23 pm	Maria Simone	-
 Health Department	Complete	Mar 20, 2023 at 3:23 pm	Mar 20, 2023 at 3:27 pm	Kaitlyn Shea	-
 Sewer Department	Complete	Mar 20, 2023 at 3:23 pm	Mar 20, 2023 at 3:27 pm	Maria Simone	-
 Town Collector	Complete	Mar 20, 2023 at 3:23 pm	Mar 20, 2023 at 3:51 pm	Town Collector	-
 Police Department	Complete	Mar 20, 2023 at 3:23 pm	Mar 20, 2023 at 4:36 pm	Brandon Esip	-
 Fire Department	Complete	Mar 20, 2023 at 3:23 pm	Mar 21, 2023 at 8:27 am	David Pelonzi	-
 Building Department	Complete	Mar 20, 2023 at 3:23 pm	Mar 21, 2023 at 9:18 am	Ann Gutterson	-
 Planning Department	Complete	Mar 20, 2023 at 3:23 pm	Mar 22, 2023 at 9:17 am	Julia Gillis	-
 Clerk's Office	Complete	Mar 20, 2023 at 3:23 pm	Mar 22, 2023 at 1:38 pm	Mary Fernandes	-
 Schedule Hearing	Active	Mar 22, 2023 at 1:38 pm	-	Maria Simone	-
 Final Building Inspector Sign Off	Inactive	-	-	-	-
 Final Fire Department Sign Off	Inactive	-	-	-	-
 Final Health Department Sign Off	Inactive	-	-	-	-
 Final Payment	Inactive	-	-	-	-
 Common Vic License	Inactive	-	-	-	-



Town of Bourne, MA

Mar 22, 2023

CVFV-23-2

## Health Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Became Active:** Mar 20, 2023

**Assignee:** Kaitlyn Shea

**Completed:** Mar 20, 2023

---

### Applicant

Matt West

### Primary Location

2 BOURNE BRIDGE APPROACH Unit F  
Unit F  
Bourne, MA 02532

---

### Comments

Kaitlyn Shea, Mar 20, 2023

FE-194 issued pending pre-operative inspection.





Town of Bourne, MA

Mar 22, 2023

CVFV-23-2

## Sewer Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Became Active:** Mar 20, 2023

**Assignee:** Maria Simone

**Completed:** Mar 20, 2023

---

### Applicant

Matt West

### Primary Location

2 BOURNE BRIDGE APPROACH Unit F  
Unit F  
Bourne, MA 02532

---

### Comments

Maria Simone, Mar 20, 2023


Preliminary sewer allocation of 1,000 gpd approved 1/31/23. All fees paid

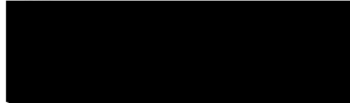
**Annual Common Victualler/Food  
Vendor License**

**CVFV-23-1**

Submitted On: Mar 17, 2023

**Applicant**

 Kendra Beguerie



**Primary Location**

254 SHORE RD  
Unit A, B  
Bourne, MA 02532

**Applicant/Business Information**

**Individual/Corporate Name**

Kendra& William Beguerie

**Mailing Address (include city, state and zip code)**

254 Shore Rd Buzzards Bay

**Business Email Address**



**Manager Phone Number**



**Doing Business as (D/B/A)**

Rise&Dine Cafe

**Business Phone Number**



**Manager Name:**

Kendra Beguerie

**License Information**

**License Category**

Common Victualler's License

**Landlord Name**

Lj Palazesi

**Length of Lease**

4 years

**Will you be serving alcohol?**

Yes - All Alcoholic

**Do you own or will you be renting the premise?**

Rent

**Landlord Contact Information**



**Do you have employees?**

Yes

**Premise Description and Capacity Information**

**Total square footage**

--

**# of entrances**

3

**# of floors**

2

**Inside Seating Capacity**

65

**Does this property have outside seating?**

Yes

**# of rooms with public access**

3

**# of exits**

3

**# of bathrooms**

3

**Inside Maximum Occupancy**

65

**Outside Seating Capacity**

16



Town of Bourne, MA

Mar 24, 2023

CVFV-23-1

## Building Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Became Active:** Mar 20, 2023

**Assignee:** Ann Gutterson

**Completed:** Mar 20, 2023

### Applicant

Kendra Beguerie



### Primary Location

254 SHORE RD Unit A, B  
Unit A, B  
Bourne, MA 02532

**Owner:**



### Comments

Ann Gutterson, Mar 20, 2023

Any signs need a permit. Please apply using our E-permitting system. <https://bournema.viewpointcloud.com/> (<https://bournema.viewpointcloud.com/>)



Town of Bourne, MA

Mar 24, 2023

CVFV-23-1

## Health Department

Annual Common Victualler/Food Vendor License

**Status:** On Hold

**Became Active:** Mar 20, 2023

**Assignee:** Kaitlyn Shea

**Completed:** Mar 24, 2023

### Applicant

Kendra Beguerie

### Primary Location

254 SHORE RD Unit A, B  
Unit A, B  
Bourne, MA 02532

**Owner:**

### Comments

Kaitlyn Shea, Mar 20, 2023

FE-200 submitted and currently being reviewed. Pending pre-operational inspection.

Terri Guarino, Mar 24, 2023

Proposed seating capacity exceeds that of the existing septic system. Pending passing septic system certification inspection & new food establishment plan review (including any construction permits as well).



Town of Bourne, MA

Mar 24, 2023

CVFV-23-1

## Fire Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Became Active:** Mar 20, 2023

**Assignee:** David Pelonzi

**Completed:** Mar 21, 2023

### Applicant

Kendra Beguerie

### Primary Location

254 SHORE RD Unit A, B  
Unit A, B  
Bourne, MA 02532

### Owner:

### Comments

David Pelonzi, Mar 21, 2023

If there is a liquor license for this property, a fire inspection is required.

03/23/2023  
Certificate #: 81

Book: XXII  
Page: 81  
Expiration: 03/23/2027

*Town of Bourne*  
*The Commonwealth of Massachusetts*

**BUSINESS CERTIFICATE**

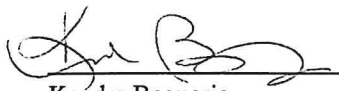
**Rise & Dine Cafe**

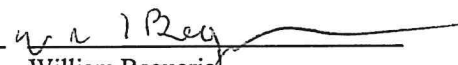
**254 Shore Rd Buzzards Bay, MA 02532**

**Phone: 781-243-1540 SS#/FID#:**

In conformity with the provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of Rise & Dine Cafe conducted at Number 254 Shore Rd by the following person(s):


Name	Address
Kendra Beguerie	254 Shore Rd Bourne, MA 02532
William Beguerie	254 Shore Rd Bourne, MA 02532

  
Kendra Beguerie  
Phone #: 508-743-5198  
ID:

  
William Beguerie

Type of Business: Restaurant

Appeared before me the above named person(s) and acknowledged the foregoing to be a true and accurate account, given under the pains and penalties of perjury this 23rd day of March 2023.



In accordance with the provisions of Massachusetts Laws the business certificate shall be in effect for a period of 4 years from the date of issue and shall be renewable by the applicant every four years thereafter. In the event of discontinuance, withdrawal of partner, retirement, or amendment of the certificate in any manner it shall be necessary to file with the Town Clerk such change, under oath. Such change shall be recorded with and become part of the original filing. Copies of the Business Certificate shall be available at the address of the business and shall be furnished to any person(s), making purchases of goods or services upon request.

Violations regarding the "Business Certificate" statute, so called, are subject to a fine of \$300.00 for each month of violation.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/22/23

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## PRODUCER

Margaret J Grassi Ins Agency  
1188 Main Street  
West Wareham, MA 02576

## CONTACT NAME:

PHONE (A/C, No, Ext): 508-295-2007

## FAX

(A/C, No): 508-291-1707

E-MAIL: Grassi-Ins@comcast.net

ADDRESS:

## INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Hartford Underwriters Ins

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

## INSURED

Kendra Beguerle  
dba Rise and Dine Cafe  
254 Shore Rd  
Buzzards Bay, MA 02532

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$ COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					EACH OCCURRENCE \$ AGGREGATE \$ \$ PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	TBD	03/23/23	03/23/24	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

Town of Bourne  
24 Perry Ave  
Bourne, MA 02532

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Debra Grassi

# NOTICE OF ASSIGNMENT

<b>EMPLOYER:</b> KENDRA BEGUERIE DBA RISE AND DINE CAFE 254 SHORE RD BUZZARDS BAY, MA 02532	<b>COMBO I.D.</b> 001269435  <b>COVERAGE GROUP</b> 1359000	<b>STATUS OF EMPLOYER</b> Individual
--	--	---

The Waiver of Our Right to Recover from Others Endorsement is available on Pool policies. Contact your agent for details.

Coverage under this assignment applies to Massachusetts operations only. For coverage outside of Massachusetts, contact the appropriate Pool or Plan for that state.

**AGENT OR PRODUCER:** MARGARET J GRASSI INSURANCE AGENCY INC  
 DEBRA GRASSI  
 1188 MAIN ST  
 W WAREHAM, MA 02576

**INSURANCE COMPANY:**  
 HARTFORD UNDERWRITERS INS CO  
 TRAVELERS - RMD  
 P O BOX 5600  
 HARTFORD, CT 06102-5600  
 (800) 443-4404

**AGENCY FEIN:** 461155686

CLASSIFICATION OF OPERATION	CLASS CODE	ESTIMATED TOTAL ANNUAL REMUNERATION	RATE	ESTIMATED PREMIUM
RESTAURANT NOC	9079	\$31,200	0.86	\$268
EMPLOYERS LIABILITY 100/100/500	9845			\$268
STANDARD PREMIUM				\$20
LOSS CONSTANT	0032			\$250
EXPENSE CONSTANT	0900			\$9
TERRORISM CHARGE	9740			\$209
TOTAL POLICY MINIMUM PREMIUM				\$547
TOTAL ESTIMATED PREMIUM				\$11
DIA ASSESS. 4.18%				
TOTAL EST. PREMIUM PLUS ASSESSMENT				\$558
INSTALLMENT BASIS: Annual			DEPOSIT PREMIUM:	\$558
<b>THIS IS NOT A BILL</b>				

**COMMENTS**

Coverage effective 12:01 AM on 03/23/23.

**DATE OF NOTICE:** 03/22/23

**PREPARED BY:** Joanne Shea  
 EXT 530

\* \* VOLUNTARY DIRECT ASSIGNMENT \* \*

**LETTER ID:** 6113114

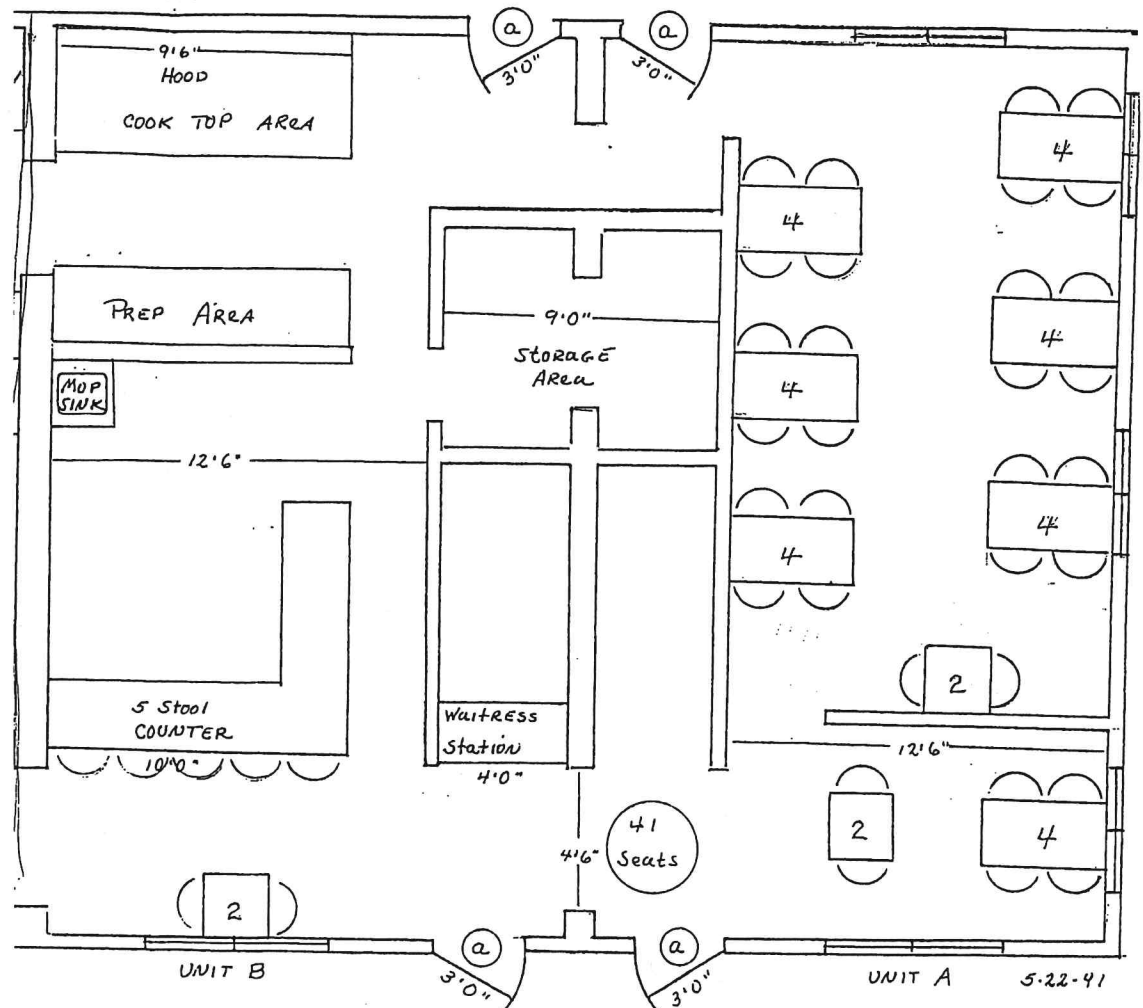
**The Workers' Compensation Rating and Inspection Bureau of Massachusetts**  
 101 Arch Street · Boston, MA 02110  
 (617)439-9030 · FAX (617)439-6055 · [www.wcribma.org](http://www.wcribma.org)



254 SHORE ROAD  
BOURNE

UNITS A, B & C  
1st FLOORS ONLY

Q-EXIT SIGNS



**From:** [REDACTED]  
**To:** [Maria Simone](#)  
**Subject:** Parking at the Circuit Ave public beach the evening of June 9th, 2023  
**Date:** Tuesday, February 28, 2023 11:51:18 AM

---

Hello Maria,  
Thank you for all your help regarding this matter.

To Whom it may concern,  
I am requesting permission that on:

- Friday night, June 9, 2023
- 5:30PM – 11:00PM
- For a Rehearsal Dinner at 371 Circuit Ave, Pocasset  
Our guests (20+ cars?) can park in the Circuit Avenue Public Beach (Hen's Cove?)  
parking lot to avoid parking along Circuit Ave.

Thank you for your consideration.

Sincerely,  
Martha Turgeon

[REDACTED]  
[REDACTED]  
[REDACTED]

---

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**EA-23-10**

## Use of Town Property Event Application

**Status:** Active**Date Created:** Mar 3, 2023**Timeline**

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Mar 3, 2023 at 4:17 pm	Mar 3, 2023 at 4:19 pm	Maria Simone	-
✓ Fire Department Comments	Complete	Mar 3, 2023 at 4:19 pm	Mar 3, 2023 at 4:24 pm	David Pelonzi	-
✓ DNR Comments	Complete	Mar 3, 2023 at 4:19 pm	Mar 3, 2023 at 4:25 pm	Christopher Southwood	-
✓ DPW Comments	Complete	Mar 3, 2023 at 4:19 pm	Mar 6, 2023 at 8:42 am	Matthew Quinn	-
✓ Police Department Comments	Complete	Mar 3, 2023 at 4:19 pm	Mar 14, 2023 at 12:29 pm	Brandon Esip	03/17/2023
✓ Town Administrator's Comments	Complete	Mar 14, 2023 at 12:29 pm	Mar 22, 2023 at 1:14 pm	Maria Simone	-
✓ Select Board Vote	Active	Mar 22, 2023 at 1:14 pm	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

Mar 22, 2023

EA-23-10

## DNR Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 3, 2023

**Assignee:** Christopher Southwood

**Completed:** Mar 3, 2023

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### Comments

**Christopher Southwood, Mar 3, 2023**

DNR does not enforce parking or have the authority to waive parking permit requirements for public events.



Town of Bourne, MA

Mar 22, 2023

EA-23-10

## Police Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Mar 3, 2023

**Assignee:** Brandon Esip

**Completed:** Mar 14, 2023

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### Comments

**Brandon Esip, Mar 14, 2023**

No Police Concerns. If approved, PD will inform officers to disregard enforcement of sticker regulations for all vehicles using the lot during the event.

**From:** [Irja Finn](#)  
**To:** [Kathleen Thut](#)  
**Subject:** \$50 Gift - BoS accept  
**Date:** Wednesday, March 22, 2023 9:33:40 AM

---

Hi Kathleen!

John Parks of Pocasset wrote a check for \$50 to the library.

Cuz we are so swell!

:)

--

[Irja S. Finn, MSLIS](#)

Library Director

Jonathan Bourne Public Library

19 Sandwich Road

Bourne, MA 02532

508-759-0600 x 6103

**From:** Rush, Linda

**Sent:** Thursday, March 23, 2023 1:18 PM

**To:** Debora Oliviere-Llanes <[DOliviereLlanes@townofbourne.com](mailto:DOliviereLlanes@townofbourne.com)>

**Subject:** donation

Robert Castle made a \$30.00 cash donation for tax preparation.

*Linda Rush*

Town of Bourne - Council on Aging

508-759-0600 ext. 5222

**From:** [Debora Oliviere-Llanes](#)  
**To:** [Kathleen Thut](#)  
**Subject:** Donation  
**Date:** Friday, March 24, 2023 10:14:52 AM

---

Kathleen,

Donation of \$20 for AARP tax prep from Olympia Walker.

*Debora Oliviere (she/her/hers)*

Director  
Bourne Council on Aging  
508-759-0600 Ext. 5226  
239 Main Street, Buzzards Bay, MA 02532  
[doliviere@townofbourne.com](mailto:doliviere@townofbourne.com)





## Marlene McCollem

---

**From:** Brandon Esip  
**Sent:** Thursday, March 23, 2023 6:40 PM  
**To:** Marlene McCollem  
**Cc:** Shawn Patterson; Tony Bosari  
**Subject:** Vehicle Trade/Disposal

Marlene,

Can you please add an agenda item for the Selectboard to allow the disposal of the following vehicles by means of trade-in to McGovern Automotive Group (the vendor we have purchased our FY23 Capital Vehicles from) with the trade value to be used as credit towards the FY23 Police Vehicle Capital expenditures? This will assist in offsetting unanticipated costs related to the FY23 vehicle replacements and allow us to remain within the capital budget that was approved for FY23.

The vehicles listed below are either no longer mechanically safe OR are no longer reliable for police department use and cannot be traded to other departments due to the Green Communities regulations. Tony was able to assist with determining our cruiser Y3 (2020 Ford Interceptor), would still be viable for use by the DNR to replace their 2010 Crown Victoria. This swap was agreeable to Director Southwood. All useable equipment would be stripped from the vehicles prior to trade, with any obsolete equipment being included as part of the trade.

Once approved, the vehicles would be traded-in as listed below:

<u>Vehicle</u>	<u>Timeline for Trade-in</u>	<u>Value</u>	<u>Equipment with Trade</u>
2009 Toyota Tacoma (Y20)	Immediately – Out of Service	\$3,500	None
2008 Ford Taurus (Y6)	Immediately – Out of Service	\$500	Obsolete Strobe lights/controllers/siren and damaged gun safe
2018 Ford Police Interceptor (Y16)	Upon Arrival of Replacement	\$2,800	Obsolete strobe lights/siren/controller Obsolete computer mounts Obsolete console
2018 Ford Police Interceptor (Y18)	Upon Arrival of Replacement	\$2,800	Obsolete strobe lights/siren/controller Obsolete computer mounts Obsolete console
2010 Crown Victoria (DNR)	Upon Arrival of Replacement	\$500	N/A
		\$10,100	

Thank-you,  
Brandon

# 2023-03-15 Meeting Minutes

Wednesday, March 15, 2023 4:30 PM

## Minutes of Bylaw Committee Meeting

Town of Bourne

Called to Order On

Wednesday, March 15, 2023 at 4:33 PM

### MEMBERS PRESENT AT MEETING

David T. Gay, Chairperson

Brandon Esip – Ex-Officio Member

Elizabeth Brown

Wallace J. Perry

Deb Bryant (Remote)

Kathleen Legacy (Remote)

### Absent

George Sala, Francesca Ferguson

### Public in attendance

Julie Keene and two other Sagamore Beach residents

Elizabeth Hartsgrove (Assistant Town Administrator)

Stevie Fitch (representing the Bourne Conservation Commission)

The meeting opened at 4:33 PM on Wednesday, March 15<sup>th</sup>, 2023 at the Bourne Police Department Training Room.

### APPROVAL OF MINUTES

David Gay motioned to approve the minutes of the previous Meeting (Sept. 27,2022) until next meeting as they were just distributed to the members. This motioned was seconded by Elizabeth Brown and a roll call vote was taken.

Brown, Bryant, Gay, Legacy, Perry

5-0 motioned passed - Unanimous

### Old Business

None

### New Business

A. Next item on the agenda was to meet with Julie Keene of Sagamore Beach and other citizens of Bourne, concerning a proposed addition to bylaw Section 3.1.23 Disturbances – by adding an additional section “c” to read as follows:

(Proposed section) C. The fact that the noise is plainly audible at a distance of one hundred fifty (150) feet from the building, dwelling, structure, premises, shelter, boat or vehicle from which it originates and when the noise occurs between 10:00 p.m. and 7:00 a.m. shall constitute prima facie evidence of a violation of this bylaw.

This Petition was submitted by Ms. Julie Keene and a number of other Bourne residents and the signatures on the petition have been certified by the registered voters.

Elizabeth Brown proposed the question, "What is this achieving that isn't currently being achieved?" Ms. Keen gave out a copy of the current "Disturbances bylaw as written. After a discussion with Keene, it was explained that the addition she proposed as written did not accomplish the intended goal of the addition.

Keene withdrew her proposal verbally and stated that she would withdraw her proposal to the town in writing at a later time. She also stated that she would be petitioning the board for consideration of a new proposal at a later time.

B. The next item on the agenda was to meet with Stevie Fitch and discuss consideration of amendments to the Town of Bourne Bylaws submitted by the Bourne Conservation Commission consisting of three separate articles as follows:

1. Amendment to the Town of Bourne Wetland Protection Bylaw Article 3.7, Wetland and Natural Resources Protection, Section 3.7.4; Definitions; Regulations.
2. Amendment to the Town of Bourne Wetland Protection Bylaw Article 3.7, Wetland and Natural Resources Protection, Section 3.7.3: Notice of Hearings.
3. Proposed new addition to the Town of Bourne Wetland Protection Bylaw Article 3.7, Wetland and Natural Resources Protection, by adding a Section 3.7.13: entitled Waiver.

Stevie Fitch explained that the first proposed new bylaw wording will update the town standards to what the MA department of Environmental Protection is and applies the 50 ft set back more specifically. Elizabeth Brown asked a question of what is the going to "stop happening?" with the new proposed by law. Fitch explained that the bylaw as proposed will clarify what areas are buildable according to the FEMA building code.

Fitch then explained the second amendment as proposed is attempting to match the RDA and NOI standards at the state level.

Fitch then explained the proposed 3.7.13 Waiver amendment would give the builder in a project option to mitigate any issues and compromise for a project to continue.

After speaking with Fitch, David Gay called for a motion to approve the proposed amendments. Elizabeth Brown made a motion; Wallace Perry seconded the motion.

A Roll Call vote was taken

Bryant, Legacy, Perry, Gay, Brown

5-0- motion passed - Unanimous

C. To consider amendments to the Town of Bourne Bylaws to each reference of "Board of Selectmen" or "Selectmen" and changing it to "Select Board", due to recent Attorney General approval of same changes to the Town's Charter.

Liz Hartsgrrove proposed this housekeeping amendment to keep consistency with all documents. Brandon Esip asked the question of how many other bylaws this proposed change would affect. Hartsgrrove stated that they would make sure it does not.

Gay called for a motion to approve amendment. Brown so motioned. The motion was seconded by Perry.  
Roll call vote was conducted.

Brown, Legacy, Gay, Bryant, Perry  
5-0 motioned passed

#### **OTHER BUSINESS**

David Gay proposed to the board that the clerks/ secretary's position on the board was now vacant due to Brandon Esip's position as the Chief of Police putting him as an ex-officio member of the board. Wallace Perry stated that he would accept the position.

A Roll Call vote was conducted

Brown, Legacy, Gay, Bryant, Perry

5-0 appointment passed - Unanimous

#### **NEXT MEETING**

Date not set at this time

#### **Adjournment**

Gay called for a motion to adjourn. Brown motioned; Perry seconded the motion.

Brown, Bryant, Gay, Legacy, Perry

5-0 motioned passed - Unanimous

Respectfully submitted by,

Wallace J. Perry IV

Secretary of the Bourne Bylaw Committee

**ARTICLES OF THE WARRANT**

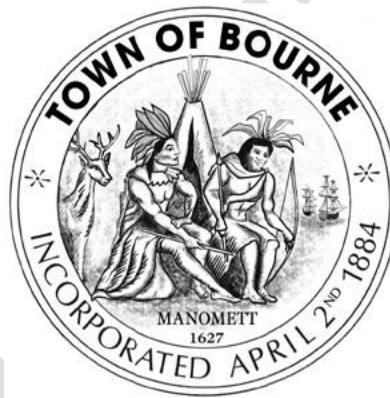
**FOR THE**

**ANNUAL TOWN MEETING**

**Monday, May 1, 2023**

**7:00 P.M.**

**Bourne High School Auditorium**



## ANNUAL TOWN MEETING

**ARTICLE 1:** To see if the Town will vote the following Consent Articles or pass any vote or take any other action relative thereto.

*Sponsor – Select Board*

1. Regular Required Authorizations - To see if the Town will vote the following regularly required authorizations:
  - a. Assumption of Liability – To see if the Town will vote to assume liability as specified in Section 1 of Chapter 814 of the Acts of 1972, in the manner provided by G.L. c. 91, §§ 29 and 29A, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, and, further, to authorize the Select Board to execute and deliver a bond of indemnity therefore to the Commonwealth.
  - b. Road Contracts - To see if the Town will vote to authorize the Town Administrator to enter into a contract with the Massachusetts Highway Department Commissioner or the Federal Government for the construction and maintenance of public highways in the Town of Bourne for the ensuing year;
  - c. Grant Program Authorization - To see if the Town will vote to authorize the Select Board and/or the Town Administrator to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Bourne by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program;
  - d. Contracts in Excess of Three Years - To see if the Town will vote in accordance with the provisions of G.L. c. 30B, § 12(b) to authorize the Town Administrator or the Superintendent of Schools to solicit and award contracts for terms exceeding three years, including any renewal, extension, or option, provided in each instance that the term in excess of three years is determined to be in the best interest of the Town by a vote of the Select Board (if solicited and awarded by the Town Administrator) or the School Committee (if solicited and awarded by the Superintendent);
  - e. Authorize the Treasurer and the Town Collector, pursuant to G.L. c. 44, § 53F, with the approval of the Select Board, to enter into agreements with banking institutions to maintain deposits in exchange for banking services, for periods not to exceed three years.
  - f. Authorize the Select Board, pursuant to G.L. c. 44, § 72, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.
2. Elected Officials Salaries - To see if the Town will vote to fix the salaries and compensation of the following elected officials of the Town as provided by G.L. c. 41, § 108 for the fiscal year commencing July 1, 2023 as follows:
  - a. Town Moderator: \$644
  - b. Select Board 4 @ \$3,570 for total of \$14,280
  - c. Select Board (Chair) 1 @ \$4,590 for a total of \$4,590
  - d. Town Clerk: \$45,680

March 24, 2023



3. Chapter 90 - To see if the Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts, pursuant to G.L. c. 90, for the construction, reconstruction, preservation, maintenance, and improvement of all public ways accepted by the Town, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway (Chapter 90) guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the DPW Director, with the approval of the Select Board.
4. Reserve Fund - To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$350,000** to establish the Finance Committee Reserve Fund.
5. Revolving Funds - To see if the Town will vote to set the total amount that may be expended from each revolving fund established by Article 2.10 of the General Bylaws, pursuant to G.L. c. 44, § 53E½, for the fiscal year beginning July 1, 2023, as follows:

Revolving Fund	FY 2024 Spending Limit
Recreation Programs Fund	\$ 175,000
Shellfish Propagation Fund	\$ 75,000
Transportation Revolving Fund	\$ 50,000
Public Library Book Fund	\$ 20,000
COA Supportive Day/Bridging the Years	\$ 100,000
COA Programs	\$ 100,000
Community Building Rental fund	\$ 10,000
Tax Title Collection Fund	\$ 60,000
	\$ 590,000

6. Accrued Contractual Compensated Absences - To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$100,000 to fund the costs related to payments of accrued contractual compensated absences.

**ARTICLE 2:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to defray the regular annual expenses of the Town, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 3:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Department, or take any other action in relation thereto.

*Sponsor – Board of Sewer Commissioners*

**ARTICLE 4:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Integrated Solid Waste Management Program, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Fiscal Year 2024 Capital Budget, or take any other action in relation thereto.

*Sponsor – Capital Outlay Committee and Select Board*

**ARTICLE 6:** To see if the Town will vote to hear Reports and Recommendations of Committees and Town Officers, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 7:** To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds or reserve from the FY2024 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action in relation thereto:

*Sponsor – Community Preservation Committee*

**ARTICLE 8:** To see if the Town will vote, upon the recommendation of the Community Preservation Committee, to appropriate a sum of money for the purposes of the administrative and operating expenses of the Community Preservation Committee, or take any other action in relation thereto.

*Sponsor – Community Preservation Committee*

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to the Stabilization Fund, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money to the Capital Stabilization Fund, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 11:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Human Services Grant program, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 12:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Special Education Reserve Fund, or take any other action in relation thereto.

*Sponsor – School Department*

**ARTICLE 13:** To see if the Town will vote to amend the vote taken under Article 27 at the May 8, 2000 Annual Town Meeting, which accepted the provisions of Chapter 59, Section 5K of the General Laws, to increase the previously-voted gross exemption amount limit of \$500.00 to \$750.00 per fiscal year for each approved volunteer who participates in the Senior Tax Work-Off Program, said increase to become effective beginning in Fiscal Year 2024, or take any other action in relation thereto.

*Sponsor – Board of Assessors*

**ARTICLE 14:** To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Wetland and Natural Resources Protection, Section 3.7.3: Notice of Hearings as follows:

**Section 3.7.3**



Notice of Hearings. Any person filing a Notice of Intent with the Conservation Commission shall give notice thereof in the same manner required by Mass. Gen. Laws, Chapter 131, Section 40, as from time to time amended and supplemented, and the Rules and Regulations, if any, promulgated thereunder, as from time to time amended and supplemented.

Any person filing a Request for Determination of applicability with the Conservation Commission shall give written notice thereof, no less than five (5) business days prior to the scheduled Commission meeting, by certified mail-return receipt requested postage prepaid, by delivery in hand, **or by certificates of mailing,** to all abutters to the proposed project and to the property owner if other than the applicant, according to the most recent records of the Bourne Board of Assessors. The notice shall specify the date, time and location of the Commission meeting, and shall also specify where a copy of the Request for Determination, accompanying plans and documents may be examined and obtained.

or take any other action in relation thereto.

*Sponsor – Conservation Commission*

**ARTICLE 15:** To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Wetland and Natural Resources Protection, Section 3.7.4: Definitions; Regulations as follows:

**3.7.4 Definitions; Regulations ‘Adjoining Land Areas’**

‘Adjoining Land Areas’ shall mean the land **within 100’ of any Wetland Resource Area, other than Land Subject to Coastal Storm Flowage (LSCSF) and the Riverfront Area.** The area is hereafter referred to as the Buffer Zone. **There is no buffer zone to LSCSF or Riverfront Area.** No habitable dwelling or accessories thereto or roadway/driveway shall be allowed **within the buffer zone any closer than 50’ from the boundary of a Wetland Resource Area** unless permitted under this bylaw.

- A. For undeveloped lots, the 50’ setback is required. For further alteration of lots that contain an existing dwelling, the applicant must attempt to meet the 50’ setback to the degree that is practicable with a minimum setback of being no closer than the existing dwelling.**
- B. For eroding Coastal Banks that are significant to storm damage prevention or flood control because they supply sediment to coastal beaches or coastal dunes (aka “Sediment-Source Bank”), a 50’ setback landward from the top of bank is required.**
- C. For non-eroding Coastal Banks that are significant to storm damage prevention or flood control only because they act as a vertical buffer to storm waters (aka “Vertical-Buffer Bank”), a minimum of 10’ setback landward from the top of bank is required. Upon a clear showing that a Vertical-Buffer Bank provides insignificant storm damage prevention or flood control the Conservation Commission may waive the setback requirement entirely.**

or take any other action in relation thereto.

*Sponsor – Conservation Commission*

**ARTICLE 16:** To see if the Town will vote to amend the Town of Bourne Wetland Protection Bylaw, Article 3.7, Wetland and Natural Resources Protection, Section 3.7.13: Waiver as follows:

**3.7.13: Waiver**

**A waiver to a specific performance standard of these Bylaws may be sought in cases where there are no**

reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with these regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible and when the waiver is consistent with the intent and purpose of the Bylaw.

A request for a waiver shall be made in writing and shall include, at a minimum, the following information:

- A brief statement of the relief sought;
- A description of all reasonably identifiable alternatives to the applicant's proposal that were considered by the applicant that would avoid or minimize the necessity of the requested relief, along with the reasons why such alternatives were deemed to be inadequate, unworkable, or inadvisable;
- A statement of all efforts that will be undertaken to minimize impact upon the affected resource areas subject to protection under the Bylaw (Bylaw resource area) arising out of the work proposed;
- Detailed plans for proposed mitigation measures; and
- Adequate engineering and expert evidence to permit the Conservation Commission to evaluate the basis for applicant's contentions in support of the waiver requested.

The applicant shall have the burden of demonstrating, by clear and convincing evidence, that the granting of the waiver is consistent with the intent and purpose of the Bylaw and these regulations.

or take any other action in relation thereto.

*Sponsor – Conservation Commission*

**ARTICLE 17:** To see if the Town will vote to amend the Town of Bourne Recreation Committee Bylaw, Article 1.7, Sections 1.7.1-1.7.3, as follows:

#### Article 1.7 Recreation Committee

The Bourne Recreation Committee is a committee formed for the purposes of supporting all residents of Bourne in their recreational pursuits.

##### Section 1.7.1

Membership. ~~There shall be a Recreation Committee consisting of nine voters of the Town appointed annually by the Board of Selectmen.~~ The Committee shall consist of nine voters, appointed by the Select Board, serving three year overlapping terms.

##### Section 1.7.2

Organization. ~~The Committee shall annually organize by election from its member a chairman, a vice chairman, and a clerk.~~ Each September, the Committee shall elect a chairperson, vice-chairperson, clerk and CPC representative. If no member stands for election, it shall be in the Chairperson's power to appoint officers of the Committee.

##### Section 1.7.3

Duties and Responsibilities. ~~The Committee shall review all requests from private organization for town funding of athletic and recreation programs, and shall transmit its recommendations therefor to the Selectmen and finance committee in the form of its annual budget submission; the Committee may develop town sponsored athletic and recreation programs; the Committee shall develop, and regularly update, a written master plan for development and coordination of recreation programs and utilization of recreation facilities for all age groups in the town; and, shall be responsible for such other matters as may from time to time be referred to it. The~~

~~committee shall not have jurisdiction or supervision over recreation programs of the school department, lifeguard department, Bourne Council on Aging, or Bourne Veterans Memorial Community Center, unless so requested by such departments.~~

- The Committee shall assist the Recreation Department in the promotion of active and passive recreational activities for all age groups and abilities.
- The Committee shall submit an Annual Report to the Town outlining its goals and accomplishments for the prior fiscal year.
- The Committee shall identify and advocate for active and passive recreational opportunities, capital projects, new recreational areas, special events and programs.
- The Committee shall assist the Recreation Department to improve outreach and communications with the community regarding the Town's recreational programming, projects, events, and initiatives.
- The Committee may assist the Recreation Department with the implementation of special events as scheduled by the Department throughout the year.
- The Committee may solicit public opinion for recreation projects.
- The Committee will notify the Recreation Department and Department of Public Works of any known maintenance and/or repair needs to recreational facilities.

or take any other action in relation thereto.

*Sponsor – Recreation Committee*

**ARTICLE 18:** To see if the Town will vote to accept G.L. c. 41, §110A, which allows municipal offices, including the Town Clerk's Office, to treat Saturdays as holidays, so that voter registration deadlines will be extended until the next regular business day, or take any other action in relation thereto.

*Sponsor – Town Clerk*

**ARTICLE 19:** To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various project, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 20:** To see if the Town will vote to authorize – **land transfer for the Keene House**, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 21:** To see if the Town will vote to amend the Town of Bourne Bylaws, Section 3.1.23 Disturbances by adding an additional section "c," said new section to read as follows: c. The fact that the noise is plainly audible at a distance of one hundred fifty (150) feet from the building, dwelling, structure, premises, shelter, boat, or vehicle from which it originates and when the noise occurs between 10 p.m. and 7 a.m., shall constitute prima facie evidence of a violation of this bylaw.

*By petition – Julie M. Keene*

Approved: April \_\_\_, 2023

SELECT BOARD

\_\_\_\_\_  
Peter J. Meier

\_\_\_\_\_  
Judith MacLeod Froman

\_\_\_\_\_  
Jared P. MacDonald

\_\_\_\_\_  
Mary Jane Mastrangelo

\_\_\_\_\_  
Melissa Ferretti

Barnstable, ss.  
Bourne, Massachusetts

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Veterans' Memorial Community Center, Bourne Town Hall and in all the post offices in the Town of Bourne viz: Buzzards Bay Post Office, Bourne Post Office, Monument Beach Post Office, Pocasset Post Office, Cataumet Post Office, Sagamore Post Office, and the Sagamore Beach Post Office.

Dated this \_\_\_\_ day of April, 2023

\_\_\_\_\_  
Constable

Received in the Town Clerk's Office

\_\_\_\_\_  
Barry H. Johnson, Town Clerk

March 24, 2023

**ARTICLES OF THE WARRANT**

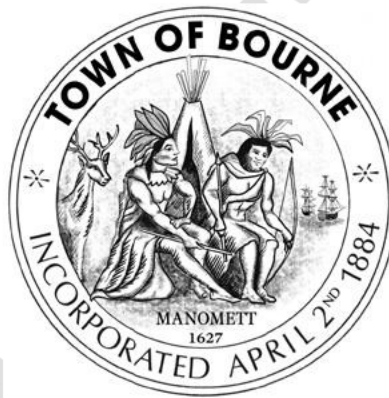
**FOR THE**

**SPECIAL TOWN MEETING**

**Monday, May 1, 2023**

**7:30 P.M.**

**Bourne High School Auditorium**





## SPECIAL TOWN MEETING

**ARTICLE 1:** To see if the Town will vote to revise the General Bylaws by deleting all reference to “Board of Selectmen” and replacing it with “Select Board”, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 2:** To see if the Town will vote to transfer a sum of money for the purposes of responding to the opioid epidemic through the creation of prevention, harm reduction, treatment, and recovery programs, or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 3:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Fiscal Year 2023 Capital Budget (Phase 2), or take any other action in relation thereto.

*Sponsor – Capital Outlay Committee and Select Board*

**ARTICLE 4:** To see if the Town will vote to **Keene House**, or take any other action in relation thereto.

*Sponsor – Community Preservation Committee*

**ARTICLE 5:** To see if the Town will vote to **Chamber Information Booth at Bourne Rotary**, or take any other action in relation thereto.

*Sponsor – Community Preservation Committee*

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,137 to supplement costs related to the Bike Rack & Securing Devices Grant or take any other action in relation thereto.

*Sponsor – Select Board*

**ARTICLE 7:** To see if the Town will vote pursuant to Section 2.3.1 of the Town of Bourne Bylaws to repeal Section 3.1.45 – Prohibition on Marijuana Establishments of the Town of Bourne Bylaws. Or to do or take any other action regarding the same.

Section 3.1.45 Prohibition on Marijuana Establishments In accordance with Massachusetts General Laws Chapter 94G, Section 3(a)(2), all types of marijuana establishments, as defined in Massachusetts General Laws Chapter 94G, Section 1 as may otherwise be defined by Massachusetts law or regulation, to include, without limitation, all marijuana cultivators, marijuana testing facilities, marijuana product manufactures, marijuana retailers, on-site consumption of marijuana at a marijuana retailer location, any other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Bourne. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.00, as may be amended from time to time.

*By petition – Steven Strojny*

**ARTICLE 8:** To see if the Town will vote to amend the **Bourne Zoning Bylaw** as follows or take any other action in relation thereto:

**2/3rds Vote**

Add a new section 2250 Medical Marijuana and Marijuana Establishments after Section 2240 Accessory

March 24, 2023

## **2250. Medical Marijuana and Marijuana Establishments**

### **2251. Purpose, Authority, and Intent**

- a) These provisions are enacted pursuant to the Town's authority under the Home Rule Amendment to Massachusetts Constitution. It is recognized that the nature of the substance cultivated, processed, and/or sold by Medical Marijuana and/or Marijuana Establishments may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the Bourne residents, the general public, patients seeking treatment, and customers seeking to purchase marijuana for adult use. This bylaw is intended to be used in conjunction with other regulations adopted by the Town of Bourne designed to encourage appropriate land use and reasonable safeguards to govern the time, place, and manner of Marijuana Establishments. The Medical Marijuana and Marijuana Establishments bylaw is therefore necessary to advance these purposes.
- b) Subject to the provisions of this Zoning Bylaw, and must be in conformance with all State regulations and licensing requirements of the Massachusetts Cannabis Control Commission (hereinafter referred to as "State CCC"), Medical Marijuana and/or a Marijuana Establishment shall provide medical support, security, and physician oversight that meet or exceed state regulation as established by the Massachusetts Department of Public Health (DPH), and to provide retail sales of marijuana for non-medical use in a manner that meets or exceeds state regulations.

### **2252. Applicability**

- a) Medical Marijuana and Marijuana Establishments shall be permitted when in compliance with the provisions of this section, all other Town of Bourne permits, license requirements, and with the proper Licensing of Medical Marijuana and/or Marijuana Establishments pursuant to MGL c. 94G, and regulations promulgated by the State CCC.
- b) The cultivation, production, processing, manufacturing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana is prohibited unless licensed by the Massachusetts licensing agent and permitted as a Medical Marijuana and/or a Marijuana Establishment under this section.
- c) Medical Marijuana and Marijuana Establishments shall be allowed by a Site Plan Review from the Planning Board the Permit Granting Authority (PGA) in accordance with the Use Regulation Schedule in Section 2220 and the Table of Allowable Uses in the Downtown District in Section 2821 provided the facility meets the Massachusetts Cannabis Control Commission and the requirements of this bylaw.
- d) The number of Marijuana Retailers shall be limited to a total of three (3) separate establishments within the Town of Bourne.

- e) Nothing in this bylaw is intended to regulate or prohibit uses or activities related to personal use of marijuana in accordance with MGL c. 94G.
- f) Adult use marijuana retailers may operate between the hours of 8:00 a.m. – 11:00 p.m. Monday through Saturday, and 10:00 a.m. – 9:00 p.m. on Sunday. Sales, distribution, and deliveries to and from the premises of marijuana shall not occur outside the hours of operation.
- g) Consumption of medical marijuana and adult use marijuana products at licensed marijuana establishments is prohibited.
- h) Social consumption of adult use marijuana is prohibited at patriotic, fraternal or social organization lodges or clubs, and properties used for general lodging or boarding, but not operating as a licensed marijuana social consumption operator.
- i) Patriotic, fraternal or social organizations lodges or clubs, and general lodging or boarding properties shall not offer marijuana for social consumption.

#### **2253. Application Requirements**

- a) Marijuana Establishments shall conform to Massachusetts 935 CMR 500.000 “Adult Use of Marijuana”, in addition to any requirements herein as adopted, et. seq., including any subsequent updates.
- b) The Permit Granting Authority (PGA) is the Planning Board in accordance with section 1230 of this Bylaw. In addition to the submittal requirements and review standards provided in this Bylaw, each applicant shall submit:
  1. Copy of a fully executed Host Community Agreement.
  2. Evidence of site control and right to use the site for a Medical Marijuana and/or a Marijuana Establishment in the form of a deed or valid purchase and sales agreement, or in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement.
  3. A commitment letter from the Board of Water Commissioners in the appropriate district where the Medical Marijuana and/or Marijuana Establishment would be sited.
  4. A wastewater allocation commitment letter from the Board of Sewer Commissioners for proposed developments in the Downtown District.
  5. A map depicting all properties and land uses within the distance requirements set forth in section 2254 of the project site, whether such uses are located in Bourne.

#### **2254. Location Requirements**

- a) Buffer Zone: Medical Marijuana and/or Marijuana Establishments buffer zones shall comply with all buffer zones as stated in Massachusetts 105 CMR 725 and 935 CMR 500.
- b) In performing Site Plan Review, and taking into consideration site conditions, the Planning Board may authorize exceptions to dimensional requirements of Section 2500 including buffer zone requirements of 935 CMR 500.110. The departure must be the minimum



necessary to afford relief. Only the minimum relief needed shall be granted as to provide a viable project.

- c) No Medical Marijuana and/or Marijuana Establishment shall be located in the Scenic Development District.
- d) A minimum separation of 150 feet is required between Marijuana Retailers, but not including Medical Marijuana Dispensaries. Distances shall be measured in a straight line between the nearest points of the Marijuana Retailer buildings.
- e) No use variance for medical marijuana, marijuana establishments, marijuana social consumption operation, medical marijuana dispensary, or sale of marijuana accessories is permitted.
- f) Permit Compliance: the Permit granted to the owner/operator of Medical Marijuana and/or Marijuana Establishment may transfer with a change in ownership of the business and/or property. The Planning Board, Planning Office, and Building Inspector shall be notified in writing within fourteen (14) calendar days of the permit holder business change, property change, discontinuance of use, or if the permit holder's CCC License expires, is not renewed or is terminated. Any failure to meet the requirement of this bylaw or Site Plan approval shall be grounds for revocation and will result in the immediate issuance of a cease and desist order by the Building Inspector ordering that all activities cease immediately.

#### **2255. Site Development Standards**

- a) Medical Marijuana and/or Marijuana Establishments are subject to section 1230 and shall conform to the zoning bylaw, and any other requirements herein as adopted, and any amendments thereto.
- b) All aspects of a Marijuana Establishment, Registered Marijuana Dispensary, or Off-Site Medical Marijuana Dispensary, relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials shall take place at a fixed location within a fully enclosed building.
- c) No Marijuana Establishment, Registered Marijuana Dispensary, or Off-Site Medical Marijuana Dispensary shall be located within a mobile facility.
- d) If green houses are used for cultivation curtains shall be utilized to prevent light pollution and illumination outside the greenhouse from dusk to dawn and no outside air exchange shall occur.
- e) If provided, fencing and gates shall be a maximum of 6' high, and shall be decorative style wherever viewed from a public way or abutting property. Style of fencing and gates shall be approved by the PGA. Chain link fencing is prohibited wherever visible from the public way or abutting property.

- f) Medical Marijuana and/or a Marijuana Establishment shall comply with the Parking and Loading requirements in Section 3300. For the purposes of calculating parking, retail establishments are categorized under “Office, Stores” use. Marijuana Cultivator, Marijuana Manufacturer, Marijuana Product Testing Facility are categorized under “Industrial, Wholesale, or Warehouse” use.
- g) All security measures for the building shall comply with State CCC regulations and deemed appropriate to ensure patron and community safety and deter unauthorized access to the premises.
- h) No products shall be displayed in the Marijuana Establishment’s window or visible from any street or parking lot.
- i) All signage for Medical Marijuana and Marijuana Establishments must meet the requirements of section 2800 and section 3200 of this Bylaw. Any exterior sign may identify the Establishment, but shall not contain any other advertisement. The PGA may impose additional restrictions on signage as appropriate for the site, provided such regulations and restrictions do not conflict with State law or any State CCC regulation.

#### **2256. Limitations**

- a) Any other type of licensed Marijuana Establishment not expressly defined as a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product, Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, and Marijuana Transporter are prohibited.

#### **2257. Marijuana Definitions**

For the purpose of this bylaw, the following definitions shall apply:

##### **Craft Marijuana Cooperative:**

A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.

##### **Independent Testing Laboratory:**

A laboratory that is licensed by the Commission and is:

- (2.a) accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
- (2.b) independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and
- (2.c) qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.

##### **Manufacture:**

To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

**Marijuana or Marihuana:**

All parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C of the General Laws; provided that “Marijuana” shall not include:

- i) The mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;
- ii) Hemp; or
- iii) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

**Marijuana Cultivator:**

An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.

**Marijuana Establishment:**

A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center.

**Marijuana Product Manufacturer:**

An entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.

**Marijuana products:**

Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

**Marijuana testing facility:**

An entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

**Marijuana Retailer:**

An entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.

**Medical Marijuana Treatment Center:** also known as Registered Marijuana Dispensary as defined by 105 CMR 725.000.

**Registered Marijuana Dispensary (RMD):**



A not-for-profit entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

**Off-Site Medical Marijuana Dispensary (OMMD):**

A Registered Marijuana Dispensary that is located off-site from the cultivation/processing facility (and controlled and operated by the same registered and approved not-for-profit entity which operates and affiliated RMD) but which serves only to dispense the processed marijuana, related supplies and educational materials to registered and qualifying patients or their personal caregivers in accordance with the provisions of 105 CMR 725.00.

Where not expressly defined in the Bourne Zoning Bylaw, the terms shall be interpreted as defined in G.L. c.9G, Section 1 and the regulations of the Massachusetts Cannabis Control Commission at 935 CMR 500, and otherwise by their plain language.

**2258. Severability**

If any provision of this bylaw or the application of any such provision to any person or circumstance, shall be held invalid, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this bylaw are severable. If any provision of this bylaw is invalidated by subsequent legislation or regulation, or held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remain provisions, which shall remain in full force and effect.

**SECTION 2220 USE REGULATION SCHEUDLE**

Amend Section 2220 Use Regulation Schedule by adding the following uses for Medical Marijuana and Adult Use Marijuana Establishments to the “Commercial Uses” section:

DISTRICT	R-40 R-80	V-B B-1	B-2 B-4	B-3	GD
<b>COMMERCIAL USES</b>					
Marijuana Cultivation	No	No	SPR <sup>14</sup>	SPR	No
Independent Marijuana Testing Laboratory	No	No	SPR <sup>14</sup>	SPR	No
Marijuana Product Manufacturing	No	No	SPR <sup>14</sup>	SPR	No
Marijuana Retailer (marijuana product sales and related paraphernalia)	No	No	SPR <sup>15</sup>	SPR	No
RMD or OMMD	No	No	SPR <sup>14</sup>	SPR	No
Social consumption of adult use marijuana at patriotic, fraternal or social organization lodges and clubs; and properties used for general lodging or boarding	No	No	No	No	No

Insert the following footnote to section 2220 Use Regulations Schedule:

14. Except “No” in the B-2 district on Mashnee Island, Shore Road, and Shipyard Lane and B-2 in North Sagamore beginning at the Bourne/Plymouth Town Line, following Old Plymouth Road And State Route 3A.

## **SECTION 2821 DOWNTOWN DISTRICT**

Amend Section 2821 Downtown District Table of Allowable Uses by adding a Medical Marijuana and Adult Use Marijuana Establishments section to the end of the table.

<b>MARIJUANA USES</b>	
<b>Land Use Classification</b>	<b>Permitted By</b>
Marijuana Cultivation	P
Independent Marijuana Testing Laboratory	P
Marijuana Product Manufacturing	P
Marijuana Retailer (marijuana product sales and related paraphernalia)	P
RMD or OMMD	P
Social consumption of adult use marijuana at patriotic, fraternal or social organization lodges and clubs; and properties used for general lodging or boarding	N

<b>Legend:</b>	SPR = Site Plan Review	N = Not Allowed	P = Permitted
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Legend: “SPR” = Planning Board, a use allowed after Site Plan Review as provided in section 1230 review criteria without the Special Permit requirements.  Residential 40 (R-40); Residential 80 (R-80); Village Business (V-B); Business 1 (B-1); Business 2 (B-2); Business 2 (B-3); Business 4 (B-4); and Government District (GD).
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## **SECTION V DEFINITIONS**

Add: Marijuana or Marihuana: “See section 2257 for all applicable definitions”.

Fraternal or Social Organization Lodge definition – delete: “*applies only to the Downtown Bylaw-section 2800*”.

*By petition – Steven Strojny*

Approved: April \_\_\_, 2023

SELECT BOARD

\_\_\_\_\_  
Peter J. Meier

\_\_\_\_\_  
Judith MacLeod Froman

\_\_\_\_\_  
Jared P. MacDonald

\_\_\_\_\_  
Mary Jane Mastrangelo

\_\_\_\_\_  
Melissa Ferretti

Barnstable, ss.  
Bourne, Massachusetts

By virtue of the Authority vested in me, I have this day posted a true and attested copy of this warrant in the Bourne Veterans' Memorial Community Center, Bourne Town Hall and in all the post offices in the Town of Bourne viz: Buzzards Bay Post Office, Bourne Post Office, Monument Beach Post Office, Pocasset Post Office, Cataumet Post Office, Sagamore Post Office, and the Sagamore Beach Post Office.

Dated this \_\_\_\_ day of April, 2023

\_\_\_\_\_  
Constable

Received in the Town Clerk's Office

\_\_\_\_\_  
Barry H. Johnson, Town Clerk

March 24, 2023

## **MASSACHUSETTS ABATEMENT TERMS**

### **I. STATEWIDE COMMITMENT TO ABATEMENT**

The Commonwealth and its municipalities have a shared commitment to using abatement funds recovered from statewide opioid settlements to supplement and strengthen resources available to Massachusetts communities and families for substance use disorder prevention, harm reduction, treatment, and recovery in a manner that:

- ❖ reflects the input of our communities, of people who have personal experience with the opioid crisis, of experts in treatment and prevention, and of staff and organizations that are carrying out the abatement work;
- ❖ addresses disparities in existing services and outcomes and improves equity and the health of individuals and communities disadvantaged by race, wealth, and stigma, including through efforts to increase diversity among service providers;
- ❖ addresses mental health conditions, substance use disorders, and other behavior health needs that occur together with opioid use disorder (“OUD”);
- ❖ leverages programs and services already reimbursed by state agencies and programs, including direct care reimbursed by MassHealth and the state’s Bureau of Substance Addiction Services (“BSAS”); and
- ❖ encourages innovation, fills gaps and fixes shortcomings of existing approaches; supplements rather than supplants resources for prevention, harm reduction, treatment, and recovery; includes evidence-based, evidence-informed, and promising programs; and takes advantage of the flexibility that is allowed for these funds.<sup>2</sup>

This document sets forth: how abatement funds from these settlements must be used by the state and its municipalities (Sections II and III); how the state will support municipal abatement initiatives (Section IV); and state and municipal reporting requirements (Section V).

### **II. STATE USE OF ABATEMENT FUNDS**

Abatement funds directed to the state shall be deposited into the [statewide Opioid Recovery and Remediation Fund](#) to supplement prevention, harm reduction, treatment, and recovery programs throughout Massachusetts. The Fund is overseen by the Commonwealth’s Executive Office of Health and Human Services (“EOHHS”) together with a [Council comprised of 10 municipal appointees appointed by the Massachusetts Municipal Association and 10 state](#)

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<sup>2</sup> In this document, the words “fund” and “support” are used interchangeably and mean to create, expand, or sustain a program, service, or activity. References to persons with opioid use disorder are intended in a broad practical manner to address the public health crisis, rather than to require a clinical diagnosis, and they include, for example, persons who have suffered an opioid overdose. It is also understood that OUD is often accompanied by co-occurring substance use disorder or mental health conditions, and it is intended that the strategies in this document will support persons with OUD and any co-occurring SUD and mental health conditions.

[appointees](#) qualified by experience and expertise regarding opioid use disorder. Appointees serve for two years. The Council holds public meetings every quarter to identify priorities for addressing the opioid epidemic in Massachusetts.

### **III. MUNICIPAL USE OF ABATEMENT FUNDS**

Abatement funds allocated to municipalities shall be used to implement the strategies set forth below. Municipalities are encouraged to pool abatement funds to increase their impact, including by utilizing the [Office of Local and Regional Health's Shared Service infrastructure](#). Municipal abatement funds shall not be used to fund care reimbursed by the state, including through MassHealth and BSAS, although local or area agencies or programs that provide state-reimbursed services can be supported financially in other ways that help meet the needs of their participants.

#### **1. Opioid Use Disorder Treatment**

Support and promote treatment of persons with OUD, including through programs or strategies that:

- a. Expand mobile intervention, treatment, telehealth treatment, and recovery services offered by qualified providers, including peer recovery coaches.
- b. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
- c. Make capital expenditures to rehabilitate and expand facilities that offer treatment for OUD, in partnership with treatment providers.
- d. Treat trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose).

#### **2. Support People In Treatment And Recovery**

Support and promote programs or strategies that:

- a. Provide comprehensive wrap-around services to individuals with OUD, including job placement, job training, or childcare.
- b. Provide access to housing for people with OUD, including supportive housing, recovery housing, housing, rent, move-in deposits, and utilities assistance programs, training for housing providers, or recovery housing programs that integrate FDA-approved medication with other support services.
- c. Rehabilitate properties appropriate for low-threshold and recovery housing, including in partnership with DHCD-funded agencies and OUD-specialized organizations.
- d. Provide peer support specialists that support people in accessing OUD treatment, trauma-informed counseling and recovery support, harm reduction services, primary healthcare,



or other services, including support for long-term recovery encompassing relapse, treatment, and continued recovery.

- e. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD.
- f. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD.
- g. Provide transportation to treatment or recovery services for persons with OUD.
- h. Provide employment training or educational services for persons with OUD, such as job training, job placement, interview coaching, community college or vocational school courses, transportation to these activities, or similar supports.
- i. Increase the number and capacity of high-quality recovery programs to help people in recovery.
- j. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
- k. Support programs for recovery in schools and/or standalone recovery high schools.
- l. Support bereaved families and frontline care providers.

### **3. Connections To Care**

Provide connections to care for people who have, or are at risk of developing, OUD through programs or strategies that:

- a. Support the work of Emergency Medical Systems, including peer support specialists and post-overdose response teams, to connect individuals to trauma-informed treatment recovery support, harm reduction services, primary healthcare, or other appropriate services following an opioid overdose or other opioid-related adverse event.
- b. Support school-based services related to OUD, such as school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people. This should include alternatives to suspension or interaction with school resource officers such as restorative justice approaches.
- c. Fund services or training to encourage early identification and intervention for families, children, or adolescents who may be struggling with use of drugs or mental health conditions, including peer-based programs and Youth Mental Health First Aid. Training programs may target families, caregivers, school staff, peers, neighbors, health or human services professionals, or others in contact with children or adolescents.

- d. Include Fire Department partnerships such as Safe Stations.<sup>3</sup>

#### **4. Harm Reduction**

Support efforts to prevent overdose deaths or other opioid-related harms through strategies that:

- a. Increase availability of naloxone and other drugs that treat overdoses for first responders,<sup>4</sup> overdose patients, individuals with OUD and their friends and family, schools, community-based organizations, community navigators and outreach workers, persons being released from jail or prison, or the public.
- b. Provide training and education regarding naloxone and other drugs that treat overdoses.
- c. “Naloxone Plus” strategies to ensure that individuals who receive naloxone to reverse an overdose are linked to treatment programs or other appropriate services.
- d. Approve and fund syringe service programs and other programs to reduce harms associated with drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, syringe collection and disposal, connections to care, and the full range of harm reduction and treatment services provided by these programs.
- e. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, primary and behavioral health care, recovery support, or other appropriate services to persons with OUD.
- f. Promote efforts to train health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD in crisis training and harm reduction strategies.
- g. Active outreach strategies such as the Drug Abuse Response Team model or the Post Overdose Support Team model.
- h. Provide outreach and services for people who use drugs and are not yet in treatment, including services that build relationships with and support for people with OUD.

#### **5. Address The Needs Of Criminal-Justice-Involved Persons**

Support diversion and deflection programs and strategies for criminal-justice-involved persons with OUD, including:

- a. Programs, that connect individuals involved in the criminal justice system and upon release from jail or prison to OUD harm reduction services, treatment, recovery support, primary healthcare, prevention, legal support, or other supports, or that provide these

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<sup>3</sup> Safe Stations currently operate in Fall River and Revere. See, e.g., <https://www.mma.org/fall-river-fire-stations-become-safe-stations-for-people-seeking-addiction-treatment/>.

<sup>4</sup> Municipalities can purchase discounted naloxone kits from the State Office of Pharmacy Services. See <https://www.mass.gov/service-details/bulk-purchasing-of-naloxone>.

services.

- b. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater OUD expertise.
- c. Public safety-led diversion strategies such as the Law Enforcement Assisted Diversion model.
- d. Participate in membership organizations such as the Police Assisted Addiction Recovery Initiative for training and networking and utilize law enforcement training opportunities such as the Safety and Health Integration in the Enforcement of Laws on Drugs (SHIELD) model.<sup>5</sup>

## **6. Support Pregnant Or Parenting Women And Their Families, Including Babies With Neonatal Abstinence Syndrome**

Support pregnant or parenting women with OUD and their families, including babies with neonatal abstinence syndrome, through programs or strategies that provide family supports or childcare services for parents with OUD, including supporting programs such as:

- a. FIRST Steps Together, a home visiting program for parents in recovery that currently has seven sites serving cities and towns across the state;
- b. Pregnant/post-partum and family residential treatment programs, including and in addition to the eight family residential treatment programs currently funded by DPH; and
- c. the Moms Do Care recovery support program that has grown from two to ten programs in the state.

## **7. Prevent Misuse Of Opioids And Implement Prevention Education**

Support efforts to prevent misuse of opioids through strategies that:

- a. Support programs, policies, and practices that have demonstrated effectiveness in preventing drug misuse among youth. These strategies can be found at a number of existing evidence-based registries such as Blueprints for Health Youth Development (<https://www.blueprintsprograms.org/>).
- b. Support community coalitions in developing and implementing a comprehensive strategic plan for substance misuse prevention. There are a number of evidence based models for strategic planning to consider including but not limited to the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (<https://www.samhsa.gov/sites/default/files/20190620-samhsa-strategic-prevention-framework-guide.pdf>) and Communities That Care developed by the University of Washington (<https://www.communitiesthatcare.net/programs/ctc-plus/>).
- c. Engage a robust multi-sector coalition of stakeholders in both the development and implementation of the above stated strategic plan (<https://www.prevention->

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<sup>5</sup> See <https://paariusa.org>

[first.org/centers/center-for-community-engagement/about-this-center/](https://first.org/centers/center-for-community-engagement/about-this-center/)).

- d. Support community-based education or intervention services for families, youth, and adolescents at risk for OUD.
- e. Support greater access to mental health services and supports for young people, including services provided in school and in the community to address mental health needs in young people that (when not addressed) increase the risk of opioid or another drug misuse.
- f. Initiate, enhance, and sustain local youth health assessment through the implementation of a validated survey tool to develop localized strategic plans that will inform the best ways to institute or enhance strategies to reduce and prevent youth substance misuse, including mental health services and supports for young people, intervention services for families, and youth-focused programs, policies, and practices that have demonstrated effectiveness in reducing and preventing drug misuse.

#### **IV. STATE SUPPORT FOR MUNICIPAL ABATEMENT AND INTER-MUNICIPAL COLLABORATION**

EOHHS and the Department of Public Health (DPH), including through its [Office of Local and Regional Health](#) (OLRH), will support municipal abatement initiatives by providing strategic guidance to help Massachusetts municipalities select and implement abatement strategies and [effectively pool their resources through inter-municipal Shared Service Agreements](#), as well as other technical assistance. By pooling resources, functions, and expertise, a consortium of cities and towns can expand the public health protections and services they offer residents.

In addition, EOHHS/DPH will collect information regarding municipal abatement and publish an annual report to provide the public with information about the municipal abatement work and to highlight effective strategies, lessons learned, and opportunities for further progress. The support for municipal abatement described in this Section IV will be funded by the state abatement funds described in Section II, above.

#### **V. REPORTING AND RECORD-KEEPING REQUIREMENTS**

**A. STATE REPORTING.** Annually, not later than October 1, the secretary of EOHHS shall file a report on the activity, revenue and expenditures to and from the statewide Opioid Recovery and Remediation Fund in the prior fiscal year with the clerks of the senate and the house of representatives, the house and senate committees on ways and means and the joint committee on mental health, substance use and recovery and made available on the executive office of health and human services' public website. The report shall include, but not be limited to: revenue credited to the fund; expenditures attributable to the administrative costs of the executive office; an itemized list of the funds expended from the fund; data and an assessment of how well resources have been directed to vulnerable and under-served communities. EOHHS filed its [first Annual Report](#) on October 1, 2021.

**B. MUNICIPAL REPORTING.** Cities and towns that receive annual abatement distributions of \$35,000<sup>6</sup> or more, whether individually or pooled through OLRH Shared Service arrangements, will be required to submit annual reports of their Municipal Abatement Fund expenditures in the prior fiscal year to EOHHS, starting in FY2023. The reports shall include, but not be limited to: municipal abatement funds received; an itemized list of the funds expended for abatement and administrative costs, if applicable; the unexpended balance; a brief description of the funded abatement strategies and efforts to direct resources to vulnerable and under-served communities. Additional reporting-related guidance shall be provided. All municipalities must: maintain, for a period of at least 5 years after funds are received, documents sufficient to reflect that Municipal Abatement Funds were utilized for the Municipal Abatement Strategies listed herein.<sup>7</sup>

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<sup>6</sup> EOHHS retains the right to modify this reporting threshold.

<sup>7</sup> Nothing in this document reduces obligations under public records law.

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TOWN CLERK DORNE

# **Application for Community Preservation Funding**

**Pocasset Village  
Foundation  
for the  
Pocasset Community  
Building**



## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee

Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Name of Applicant Pocasset Village Foundation, Inc.

Name of Co-Applicant, if applicable \_\_\_\_\_

Contact Name Paul Forsberg- President

Mailing Address                      City Pocasset State MA Zip 02559

Daytime Phone                      Email                     

Name of Proposal Historical Restoration and Improvements

Address of Proposal 314 Barlows Landing Rd., Pocasset, MA 02559

Assessors Map 38 Parcel 7

CPA Category (circle all that apply):    Open Space    Historic Preservation    Recreation    Community Housing

CPA Funding Requested \$15,000.00                      Total Cost of Proposed Project \$15,000.00

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?
- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.
- **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?
- **Credentials:** How will the experience of the applicant contribute to the success of this project?
- **Success Factors:** How will the success of this project be measures? Be as specific as possible.
- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)
- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?
- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. *(Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)*

- N   1) Does the project have other sources of funding? If so, indicate percentage.
- Y   2) Does the project require urgent attention?
- Y   3) Does the project serve a currently underserved population?
- Y   4) Does the project preserve a threatened resource?
- Y   5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- Y   6) Does the project fit within the current or already proposed zoning regulations?
- Y   7) Does the project have a means of support for maintenance and upkeep?
- N   8) Does the project involve currently owned municipal assets?
- N   9) Does the project have two other sources of funding?
- N   10) Does the project have more than two other sources of funding?
- Y   11) Does the project involve two core concerns of the CPA?
- N   12) Does the project involve all three-core concerns of the CPA?
- Y   13) Does the project have community support?
- Y   14) Does the project have sufficient supporting documentation?
- N/A  15) Does the project have support from another Board or Committee?
- Y   16) Does the project provide a positive impact to the community?
- N/A  17) Does the project have the support of the majority of immediate abutter?



## Historic Preservation Selection Criteria

Check each line as it applies:

- N 1) Is the building on the National Register of Historic Places?
- Y 2) Is the property eligible for listing on the National Register of Historic Places?
- N 3) Is the property on the State Historic Register?
- Y 4) Is the property eligible for listing on the State Historic Register?
- Y 5) Has the property been included in the local Survey of Historic Properties?
- N 6) Is the property in danger of being demolished?
- N 7) Are there potential archeological artifacts at the site?
- Y 8) Has the property been noted in published histories of the town or county?
- Y 9) Is there a realistic chance of restoring the property?
- N 10) Are there other potential uses for the property, which could benefit the town?
- N 11) Could the building be converted for affordable housing use while still retaining its historic quality?
- N 12) Is the property part of a historic area or district in the town?
- Y 13) Is the owner also interested in preserving the historic integrity of the property?
- N 14) Is there an opportunity for other matching funding to preserve the property? Explain?
- Y 15) Are there any particularly important historic aspects about the property?
- Y 16) Did the property ever plan a documented role in the history of the town?

Pocasset Village Foundation, Inc.  
PO Box 774  
Pocasset, MA 02559

January 22, 2023

Mr. Barry Johnson  
Chair, Community Preservation Committee  
Town of Bourne  
24 Perry Ave.  
Buzzards Bay, MA 02532

Dear Mr. Johnson and Members,

The Pocasset Village Foundation, Inc. (PVF) and the families of the Pocasset Village Association are pleased to once again submit an application for funding under the Community Preservation Act for historic restoration of our Pocasset Community Building. The main purpose of the PVF is to maintain our historic building and make it available for all residents.

The PVF and its predecessor associations have maintained the Pocasset Community Building for over a century and have offered it to a wide range of groups in the community. We have sponsored and hosted Boy Scout Troop 44 for decades, and we host the Hit The Deck Running substance abuse group each morning - 365 days a year. These continue to be of no cost to the Town of Bourne. We will continue to service the town in whatever way we can.

- The process for applying to list the Pocasset Community Building on the National Register of Historic Places as determined by the Massachusetts Historical Commission is underway and should be completed any day now. The project for which we are requesting funding is within the specific restoration requirements for obtaining the NRHP listing, mainly having to do with restoring the exterior appearance of the building to its original c. 1912 appearance.

Our application for CPC funding is in direct response to the requirements expressed or implied by the Public Archeology Laboratory on behalf of the Massachusetts Historic Commission.

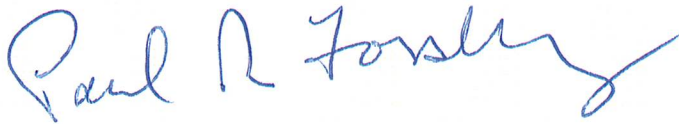
The project consists of the aging and nonfunctional windows at the rear of the hall with custom replicas, fabricated to modern energy standards, to match the other windows. The cost of this project is \$10,970 with the possible contingency of \$4,000 for any unforeseen work as this is an aging building.

As requested, as president of the Pocasset Village Foundation, Inc., I certify, under the penalties of perjury, to the best of my knowledge that

- The Pocasset Village Foundation, Inc. has filed all federal and State (Commonwealth of Massachusetts) tax forms required under law (Note that the Pocasset Village Foundation, Inc. is a tax-exempt organization under Section 501(c)3 of the IRS Code.)
- Under the provisions of Chapter 701 of the Acts of 1983, the Pocasset Village Foundation, Inc.'s application is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this section, the word "person" shall mean any natural person, joint venture, partnership, corporation, union, committee, club, or other business or legal entity.
- The Pocasset Village Foundation, Inc. has not engaged in any unlawful discrimination based upon race, color, religious creed, national origin, sex, sexual orientation, or veteran status and has complied with Town of Bourne affirmative action policies and practices.

I am available to discuss any and all elements of this proposal.

Sincerely,



Paul R. Forsberg  
President, Pocasset Village Foundation

Pocasset Village Foundation, Inc. (PVF) 2023 CPC Application for Funding for the Pocasset Community Building

---

Goal:

To complete the final step to restoring the exterior of the building to its original condition and 1912 appearance. To satisfy the stated requirements of the Massachusetts Historic Commission for completing the process to list the building on the National Register of Historic Places. We will also make the building more energy efficient.

Completing the project that will consist of installing 2 energy efficient windows matching other in the building. Returning the interior and exterior walls around the windows to original condition.

Community Need:

The building is widely used by many groups within the community, as it has for over 100 years.

Community Support:

The PVF is supported by over 140 families of the Pocasset Village Association and many other families in the community.

Timeline: Immediately following approval.

Credentials:

The PVF has demonstrated its ability to manage construction projects on time and under budget. We have shown that we can fully comply with the invoicing documentation of the CPC and the town finance office.

Other funding: None

Maintenance:

The maintenance of the building is fully funded from rental income and no shortfalls are envisioned. (None of the CPA funds will be used for maintenance).

---

#### General Criteria- Applicability to this Proposal

This project in this proposal is fully eligible for Community Preservation Act funding because they involve the preservation, rehabilitation and restoration of a historic resource, the Pocasset Community Building.

The restoration of this building will preserve and maintain this building as an essential complement of Pocasset and Bourne as it has been for over 100 years. It also continues to be a compound to the essential character of the town of Bourne.

Of the bids we requested, we only received one qualified bid. The contractor is ready to get moving upon approval of this request.



## Estimate

Kashalena Construction LLC  
62 Carlisle Rd, Bourne, Ma 02532  
774-283-0677

**KASHALENA**  
**CONSTRUCTION**  
BUILDING & REMODELING  
CAPE COD, MA  
774-283-0677

# **Pocasset Community Bldg. Renovation**

## **1/10/2023**

314 Barlows Landing Rd. Pocasset, MA 02559

### Task1:

The (2) existing window openings on the North (Rear) wall are to be demoed and replaced with new Andersen double hung vinyl windows to match the other windows on that elevation. The new windows will be installed with sills elevated above the stage or, to match the sill level in the main hall. Interior wainscoting and trim will be replaced as needed to match existing. This Renovation proposal includes the following scope:

- All necessary permits and inspections
  - Demo of siding and windows on North wall
  - Prepping sidewall and installation of Typar housewrap
  - Installation of new Andersen windows to match existing
  - Installation of Azek PVC trimboards on exterior to match existing
  - Insulation as required
  - Drywall and plaster on interior to match existing
  - Interior trim to match existing
  - Installation of White Cedar R&R pre-dipped shingles (Cape Cod Grey, to match front of building)
  - Cleanup
  - Disposal
-

## Task 2:Contingency Work

Upon inspection, the siding on the (North) wall has deteriorated from age and weather, down to about half of its original thickness on the butt (exposed) end. The sheathing and framing visible from the existing openings also shows deterioration, from water damage or possibly insects (e.g., carpenter ants. We have included limited time and materials for repair/replacement in Task 1, but only immediately surrounding the windows.

Note: much of this damage is due to the deterioration of the existing rake boards above the existing window openings. To prevent damage to the new windows we will install Azek rake boards as part of task 1.

As with any renovation project, particularly on an aging historic building, there can be unforeseen rot, water deterioration or insect damage. We may find additional hidden damage when we demo the existing window openings. We have included an additional contingency of \$4,000.00 for necessary repairs. Any required work outside of the above outlined scope for Task 1 will be photographed , and a solution and costs agreed upon with the PVF Board's point of contact before additional work commences.

The total cost for this renovation project, inclusive of all above stated for Task 1 will be \$10,970.00 with the possible contingency of \$4,000.00.

A deposit of \$3000.00 ( Task 1) will be required to order materials and secure permits.

Thank you for the opportunity to work on this project.

Michael Kashalena

Kashalena Construction LLC

**QUIT CLAIM DEED**

**POCASSET COMMUNITY CLUB, INCORPORATED**, a Massachusetts corporation having an usual place of business at Bourne, Barnstable County, Massachusetts for consideration paid grants to **POCASSET VILLAGE FOUNDATION, INC.**, a Massachusetts corporation having an usual place of business at 314 Barlows Landing Road, Bourne, Barnstable County, Massachusetts with **QUITCLAIM COVENANTS**,

That certain parcel of land situate in said **BOURNE**, bounded and described as follows:

Beginning at the Southeast corner of the premises hereby conveyed, by land of the Baptist Society, thence running

**WESTERLY** by said Barlows Landing Road, 76 feet to land of the New York, New Haven and Hartford Railroad; thence running

**NORTHERLY** by said railroad, 150 feet to land of Bertha H. Whitmore; thence running

**EASTERLY** by said Whitmore's land 72.5 feet, to other land of said Whitmore; thence running

**SOUTHERLY** by other land of said Whitmore 141 feet to the point of beginning; or however otherwise the premises may bounded and described.

Meaning and intending to convey and hereby conveying those premises described in the deed recorded with Barnstable Registry of Deeds in Book 693, Page 90.

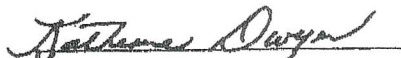
The consideration for this deed is ten dollars.

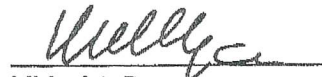
Executed as a sealed instrument this 5<sup>th</sup> day December, 2016

LOCUS = 314 BARLOWS LANDING ROAD  
POCASSET (BOURNE)



Pocasset Community Club, Incorporated  
By:

  
Katherine Dwyer  
President

  
Michael A. Ryan  
Treasurer

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE SS

DECEMBER 5, 2016

Then personally appeared Katherine Dwyer and Michael A Ryan, respectively President and Treasurer of Pocasset Community Club, Incorporated, identified by Massachusetts drivers' licenses, who acknowledged the foregoing instrument to be the free act and deed of Pocasset Community Club, Incorporated, before me,





Notary Public

My commission expires: Sept 21 2018

E:\Lexar\

Return to:

Pocasset Village Foundation, Inc.

314 Barlows Landing Road

PO Box 774

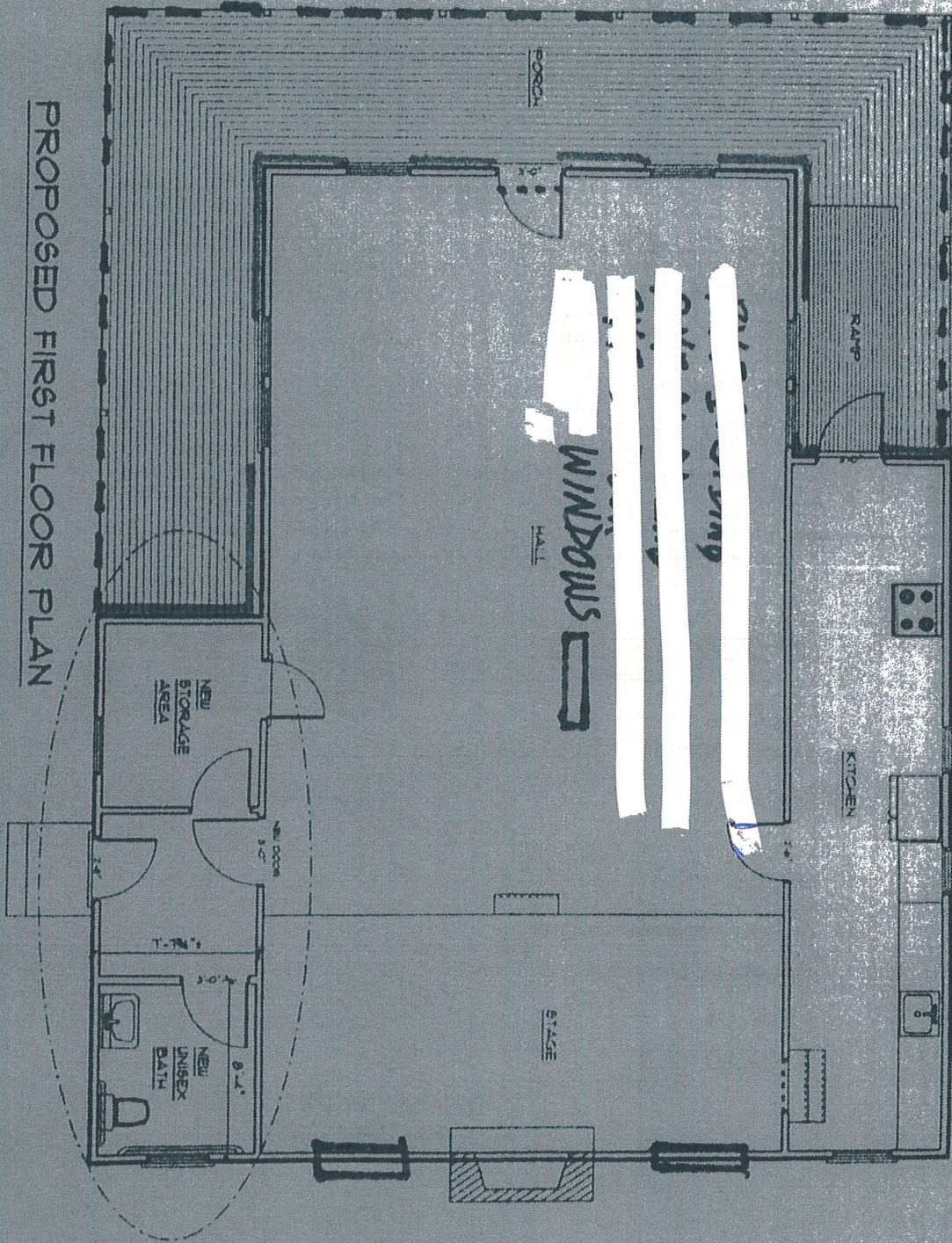
Pocasset, MA. 02559

BARNSTABLE REGISTRY OF DEEDS  
John F. Meade, Register



Barlow's Landing Rd.

PROPOSED FIRST FLOOR PLAN



Side Project



## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Name of Applicant Jonathan Bourne Historical Center (JBHC) Board of Governors **AMENDED March 6, 2023**

Name of Co-Applicant, if applicable Bourne Historical Commission

Contact Name Carl Georgeson, Chair

Mailing Address [REDACTED] City Bourne State MA Zip 02532

Daytime Phone [REDACTED] Email [REDACTED]

Name of Proposal JBHC Exterior Painting (cupola, front gable, bulkhead shed, and handicap railing)

Address of Proposal Jonathan Bourne Historical Center, 30 Keene Street, Bourne, MA 02532

Assessors Map 24.1 Parcel 56

CPA Category (circle all that apply): ☐ Open Space ☒ **Historic Preservation** ☐ Recreation ☐ Community Housing

CPA Funding Requested \$20,000 Total Cost of Proposed Project \$20,000

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
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- NO 1) Does the project have other sources of funding? If so, indicate percentage.
- YES 2) Does the project require urgent attention?
- N/A 3) Does the project serve a currently underserved population?
- N/A 4) Does the project preserve a threatened resource?
- N/A 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- N/A 6) Does the project fit within the current or already proposed zoning regulations?
- YES 7) Does the project have a means of support for maintenance and upkeep?
- YES 8) Does the project involve currently owned municipal assets?
- NO 9) Does the project have two other sources of funding?
- NO 10) Does the project have more than two other sources of funding?
- YES 11) Does the project involve two core concerns of the CPA?
- N/A 12) Does the project involve all three-core concerns of the CPA?
- YES 13) Does the project have community support?
- YES 14) Does the project have sufficient supporting documentation?
- YES 15) Does the project have support from another Board or Committee?
- YES 16) Does the project provide a positive impact to the community?
- N/A 17) Does the project have the support of the majority of immediate abutter?

## Historic Preservation Selection Criteria

Check each line as it applies:

- YES 1) Is the building on the National Register of Historic Places?
- N/A 2) Is the property eligible for listing on the National Register of Historic Places?
- YES 3) Is the property on the State Historic Register?
- N/A 4) Is the property eligible for listing on the State Historic Register?
- YES 5) Has the property been included in the local Survey of Historic Properties?
- NO 6) Is the property in danger of being demolished?
- N/A 7) Are there potential archeological artifacts at the site?
- YES 8) Has the property been noted in published histories of the town or county?
- YES 9) Is there a realistic chance of restoring the property?
- N/A 10) Are there other potential uses for the property, which could benefit the town?
- NO 11) Could the building be converted for affordable housing use while still retaining its historic quality?
- YES 12) Is the property part of a historic area or district in the town?
- YES 13) Is the owner also interested in preserving the historic integrity of the property?
- NO 14) Is there an opportunity for other matching funding to preserve the property? Explain?
- YES 15) Are there any particularly important historic aspects about the property?
- YES 16) Did the property ever play a documented role in the history of the town?



**FY 2024 APPLICATION FOR COMMUNITY PRESERVATION FUNDING  
EXTERIOR PAINTING OF JBHC (AMENDED March 6, 2023)**



The Jonathan Bourne Historical Center (JBHC) was built in 1897 by Emily Howland Bourne as a town library and as a memorial to her father, Jonathan Bourne for whom the town was named. She chose this location as his birthplace could be seen on the northeast side of the Manomet River; the house was destroyed during the digging of the canal in 1913. Jonathan was one of 10 children and at the age of 17 left home for New Bedford. He prospered and became the town's most successful owner of whaling ships. In 1884 he was a state legislator, and when the western half of Sandwich petitioned the Commonwealth for separation as a town, he was helpful on their behalf. The leaders showed their appreciation by naming the new town in his honor. Thus in 1884 the newest town on Cape Cod came from the oldest town, Sandwich. Jonathan's ancestor was the Rev. Richard Bourne, the first preacher to the Indians.

The JBHC is a notable example of the skill of Boston architect Henry Vaughn. The 1897 structure originally served as the Bourne Town Library. It is a fine example of American Colonial English Renaissance style featuring yellow tapestry brick and red slate roof construction along with large Palladian windows. A handsome stained glass window depicting "St. Michael and the Dragon" by Clayton & Bell of London, England graces the reading room. It is listed on the National Register of Historic Places. The Bourne Historical Society, the Bourne Historical Commission, Bourne Society for Historic Preservation, and the Bourne Archives are all housed in the JBHC.

We have reached out to four local painters (MaCuch, Pedersen, Aldes, and Glenn Stone), and more recently three area painters (Stewart in Hyannis, Mermaid in Yarmouth, and CertaPro Painters of Cape Cod) for quotes to paint the following exterior portions of the JBHC: the Cupola, Front Gable, Trim on the Bulkhead Shed, and the Handicap Railing (a more complete description with photos follows on the next page). In the course of conversations several changes were made to the scope of the project, namely a "soft" power wash of the front gable to remove dirt and mold; painting the door on the bulkhead shed; and painting of the soffit and frieze between the eaves and brick on the entire front of the building.

Of the four local painters two did not respond, one gave a negative response, and one provided us with an estimate that he later withdrew. Two of the three area painters have submitted quotes: Stewart for \$13,885 and CertaPro for \$17,328.65. Copies of both quotes are attached. Both note that Prevailing Wages would apply.

## **FY 2024 APPLICATION FOR COMMUNITY PRESERVATION FUNDING EXTERIOR PAINTING OF JBHC (AMENDED March 6, 2023)**

Since there is ~\$6,500 remaining in CPA funds approved at the 2022 ATM (Article 8\_D Bourne Archives | Repairs to Handicap Ramp | \$7,500 from Historic Preservation), I asked both Stewart and CertaPro to provide that portion of their estimate as a separate item, which Stewart did as an option and CertaPro did as a line item.

With regard to lead certification, Stewart stated, "Stewart Painting is a certified contractor (Certification # LR003513 expiring 5-19-22) in accordance with the EPA, Repair, Renovation, and Painting Rule." and "...CertaPro stated, "...CertaPro is not a lead remediation company and this is not a lead remediation project. We will adhere by the EPA Renovate Right Program."

The primary difference in the quotes is that Stewart imbedded the cost of the lift into their quote and CertaPro listed it as a separate line item (\$7,028.39).

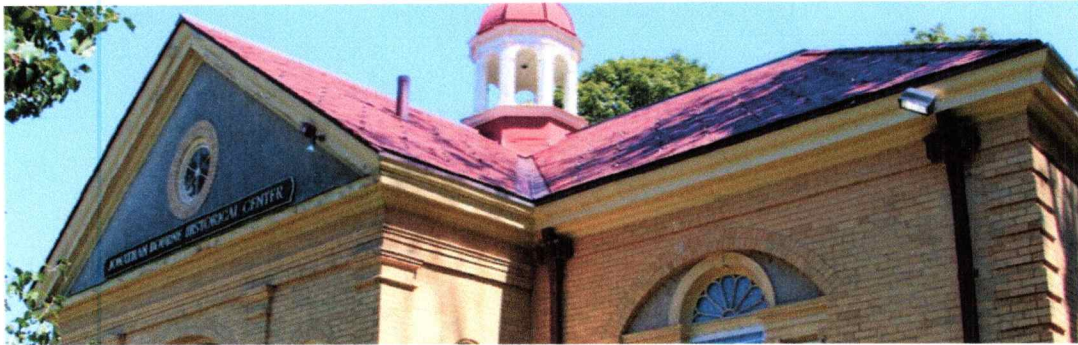
Both estimates noted that "carpentry", among other things, is excluded. For that reason, we are increasing our total ask to \$20,000 to cover any contingencies that might occur.



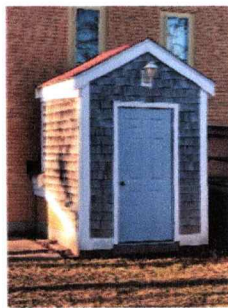
**FY 2024 APPLICATION FOR COMMUNITY PRESERVATION FUNDING  
EXTERIOR PAINTING OF JBHC (AMENDED March 6, 2023)**



Repaint the *interior and exterior of the CUPOLA* so that it matches the yellow tapestry trim paint used on the rest of the building, and (b) Put a fresh coat of RED paint on the base and tin roof of the CUPOLA.



Repaint the FRONT GABLE so that it matches the yellow tapestry trim paint used on the rest of the building. Do a "soft" power wash of the stucco to remove dirt, salt and mold. Paint the soffit and frieze (between the brick and eaves) for the entire front of the building (molding shown above between the stucco or roof and the brick).



Paint the trim *and door* on the rear bulkhead shed so that it also matches the yellow tapestry trim paint used on the rest of the building.



Clean, properly prepare and apply a fresh coat of paint to the handicap railing at the rear of the building.



Jerry Johnson  
jerry@stewartpaint.com

## Estimate

Stewart Painting Inc.  
379 Iyannough Road  
Hyannis, MA 02601  
508.362.8023

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**CONTACT**

Jonathan Bourne Historical Center/  
Carl Georgeson



---

**JOB ADDRESS**

REVISED 3-6-23

---

**ESTIMATE ID**

14803

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**DATE**

03/02/2023

## Estimate

---

**Item**

---

**Lift Rental**

---

**Power wash Front Only**

House Trim and Siding : Low pressure wash with water, bleach and Jomax

---

**Front**

EPA Set up / Clean up (1), FA (Fall Arrest Safety Precautions )(1), Cupola Roof ( red ) (1),  
Cupola 8 open Arched areas ( Interior & Exterior ) Cupola Base, 1st Floor Fascia Soffit &  
Freeze, 2nd Level Rake Boards

---

**Back Bulkhead Entry Trim & Door**

Door Casings (1, 2 Coats), Paneled Doors (1, 2 Coats), Front & Back ( Rake Boards ), Corner  
Boards, Water Table Boards, Right & Left Fascia

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---

Only items Specifically Listed are included ( Future options can be added and incur additional Cost to be determined )

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Prevailing Wage & EPA setup/cleanup included

---

Total      \$9,685.00

Options

These items are optional additions and are not included in the total

Item

---

Back Wheelchair Ramp Railings	\$4,200.00
Metal Hand Railings	

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# Media

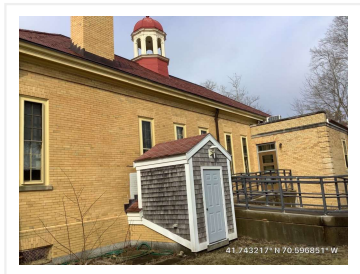
## Front



## Back Bulkhead Entry Trim & Door



## Back Wheelchair Ramp Railings



### 1. Preparation

The following procedures will be applied as necessary to your particular job under normal conditions: All necessary areas will be protected with a drop cloth.

Surfaces will be scraped of peeling paint and sanded

Glossy surfaces will be sanded to assure proper adhesion

All cracks in wood will be filled with latex caulk to lock out moisture

Areas of bare wood will be primed

Note: If for any reason 1 complete PRIME coat is required this would be considered (1) coat, allowing (1) finish coat remaining in contract to meet (2) coats. If a SECOND finish coat is required it will be considered a (3rd coat) at an ADDITIONAL CHARGE

Deteriorated glazing compound around windows will be replaced

If wood repairs are needed, the customer will be notified. Customer may contract with Contractor to do repairs

Upon completion, paint residue and debris will be cleaned up and taken away

The window sash will be razor clean and washed **of any glazing film**

Leftover paint will be labeled and left at the job site

Note: clapboard & shingles that have smooth and rough surfaces can appear to have a difference in color, or coverage, due to the texture of the clapboard or shingles.

### 2. Paints

Colors **must** be chosen two (2) weeks prior to the start date. An additional cost will be charged for color changes made after **materials have been purchased**. **Please Note:** Because some accent colors are inherently less opaque, some colors may require more than two coats to achieve a satisfactory and uniform appearance. Therefore, with these colors an additional cost may be incurred. If these colors are selected, customers shall be notified prior to work commencement in a particular area.

**We use only the highest quality painting products.**

**All painted surfaces will receive two (2) coats of Ben Moore or Sherwin Williams Brand finish paint** and primed where necessary unless specified in the contract.

**All stained surfaces that have been previously stained with a Semi-transparent or Semi-solid stain will receive 1 coat of Ben Moore or Sherwin-Williams Stain** unless otherwise specified in the Contract.

**All stained surfaces that have been previously stained with a Solid Stain will receive 2 coats of Ben Moore or Sherwin Williams stain** unless otherwise specified in the Contract.

### 3. Carpentry

Due to the concealed conditions of existing substrate damage, it may be impossible to determine the labor and materials to repair rotten wood areas from the estimator's initial walk around. Under normal conditions rotten wood can be removed properly without damage to the sheathing; however, sometimes the sheathing has also been damaged or has not been sealed properly and other hidden conditions may exist. Due to these factors, added labor and material costs may become necessary. If these conditions exist, the owner will be notified before further work commences. **All special order materials** such as windows, doors and decking, must be paid for in full prior to vendor orders being placed.

### 4. Power Washing

#### Low and High-Pressure Washing

Stewart Painting uses an environmentally safe combination of bleach, water & Jomax. This wash will gently remove dirt, mildew & lichen. It will also remove black streaks from asphalt roofs. A Low-Pressure Wash uses the same pressure that comes from a garden hose with a nozzle. It will remove dirt and mildew (not a heavy growth). Most often this is the wash pressure used to "clean" your house or deck. High-Pressure Wash is used when removing peeling paint, heavy growth of dirt, and mildew which is commonly found on decks.

**Outside electrical outlets & lights** that are not up to date (i.e. GFI outlets) or not contained in a watertight cover or properly sealed will not be covered if damaged under this warranty

#### Lichen Treatment

Lichen is a living organism and cannot be removed instantly. The dying lichen will turn from green to white indicating that the Lichen is dead. Overtime (6-12 months) as the root system dies and dries up the Lichen will fall off. Streaks from dying lichen will fade over time as lichen continues to dry up.

#### Aluminum Gutter Treatment

General dirt, mold, and mildew will be removed from the gutters during power washing, however, many aluminum gutters have oxidation stains that look like drips. These stains come from oxidized aluminum on the inside of the gutter. A general pressure wash will not remove these stains. Removal of oxidation stains may be requested and will be specially hand washed at an additional charge.

#### Plants & Vegetation

We will take all proactive steps to protect plants, trees, and shrubs during power washing by rinsing them before, during, and after your wash. In some cases, we may decide to cover the plants or vegetation. We use environmentally safe products that reduce plant damage, but extreme weather conditions, as well as the condition



of plants, may cause damage to occur. Stewart Painting, Inc. will not be responsible to replace any damaged plants or vegetation.

## **5. Marketing Agreement**

A Yard sign will be displayed on your lawn for up to **30** days after the completion of your project.

The signed **Customer Questionnaire** will be returned after the completion of your project.

Permission to use before and after pictures of your project on the Contractor's website and other promotional materials.

## **6. Insurance**

The Contractor is fully insured with all applicable business insurances.

Please feel free to contact us for a Certificate of Insurance regarding Liability Insurance and Workman's Compensation Insurance.

## **7. Limited Warranty**

**Warrants labor and material for a period of two (2) years. If paint failure appears, we will supply labor and materials to correct the condition without cost. This warranty is in lieu of all other warranties, expressed or implied. Our responsibility is limited to correcting the condition as indicated above.**

**This warranty excludes, and in no event will Stewart Painting Inc be responsible for consequential or incidental damages caused by accident or abuse, temperature changes, settlement or moisture, normal wear and tear; i.e., cracks caused by expansion and/or contraction. Cracks will be properly prepared as indicated at the time of the job, but will not be covered under this warranty.**

**Items not covered under our guarantee are:**

**Reoccurring mildew, Bleeding of knots, redwood or cedar**

**Fading: If fading has occurred in areas to receive a touch-up and the touch-up is noticeably brighter or different in color, the homeowner may choose to paint the complete board or area at an additional charge.**

**The exclusion also includes: Painted or stained horizontal walking surfaces, (i.e decks, Rail caps floors & steps).**

**Failure of previous paint coatings and insect infestation.**

**Any soft or rotten wood homeowner chooses not to replace at any time of paint job.**

**A low-pressure wash of any previously stained or painted surface may wash off any chalks or stain bare wood areas, or complete areas at an additional charge.**

**Shingles that were previously stained with a Solid Body Product.**

## **8. Work Standard**

All work is to be completed in a workman-like manner according to standard practices. Worker/s will remain on the job until completion of the project. The worksite will be cleaned daily and upon project completion. All agreements are contingent upon strikes, accidents, or delays beyond our control (i.e. weather delays).

Work procedures as per standards of the PDCA (Painting and Decorating Contractors of America) [www.pdca.org](http://www.pdca.org)

The painting contractor will produce a "properly painted surface". A "properly painted surface" is one that is uniform in color and sheen. It is one that is free of foreign material, lumps, skins, sags, holidays, misses, strike-through, or insufficient coverage. It is a surface that is free of drips, spatters, spills, or over-spray which the contractors' workforce causes. Compliance to meeting the criteria of a "properly painted surface" shall be determined when viewed without magnification at a distance of five feet or more under normal lighting conditions and from a normal viewing position.

## **9. Customer Responsibility**

Please take specific note of the job description.

Colors **must** be chosen two (2) weeks prior to the start date. An additional cost will be charged for color changes made after the commencement of work. **Please Note:** Because some deep tone and accent colors are inherently less opaque, some colors may require more than two coats to achieve a satisfactory and uniform appearance. Therefore, with these colors, an additional cost may be incurred. If these colors are selected, customers shall be notified prior to work commencement.

Please have fragile or breakable items and electronics moved out of work areas prior to the start of the project. Alarms must be turned off while work is in progress.

***Customers must be available to meet with Crew Leader on the last day of the job.***

## **10. Change Orders**

This is only a proposal and your acceptance is subject to our approval in order to make this contract binding. If after you agree to this work, you desire any changes of additional work; please contact us as the cost of all revisions must be agreed upon in writing. Workers are instructed not to undertake additional work without authorization. You will be notified of all needed carpentry or plaster repairs before they are done.

It is **essential** that the work area be available to us, **free from other trades**. As a result of trade interference, The Contractor may leave the job and additional charges may be incurred.

## **11. Costs**

We propose to furnish material and labor - complete and in accordance with the above specifications for the sum of **all** as stated at the beginning of this document above. *Individual tasks*, if selected, may require additional pricing. Price is valid for **thirty (30) days** unless otherwise noted. **If you only want some of the tasks completed from the full job description, additional pricing may be required**

**If the additional work order exceeds \$2500.00, normal payment terms apply 1/3 customer deposit on acceptance, 1/3 on the start, 1/3 upon completion of the work.**

## **12. Special conditions for homes built prior to 1978**

Stewart Painting will give you a very informative pamphlet, (Renovate Right) send your acknowledgment of receipt to [office@stewartpaint.com](mailto:office@stewartpaint.com) or P.O. Box 1067 Centerville, MA 02632

Stewart Painting is a certified contractor (Certification # LR003513 expiring 5-19-22) in accordance with the EPA, Repair, Renovation, and Painting Rule.

Federal law requires any structure built-in 1978 or before to be worked on by a certified RRP contractor which will be required to have an RRP certified person on-site during the preparation portion of the project. EPA prep guidelines require the work area to be protected 10' from the foundation with plastic, work area identified as a "Lead-free work Zone", all men to wear protective suits, an RRP pamphlet will be supplied prior to start, all surfaces to be painted will be wet hand-scraped only leaving a non-feathered edge, if this look is not acceptable, the areas in question can be wood filled and sanded for an additional charge.

## **13. Payments**

A deposit of 1/3 of the total contract amount is due upon acceptance and should be sent to us along with your signed proposal.

The second payment of 1/3 of the total contract amount is due upon the start of the project.

The remaining 1/3 balance is due upon completion.\*

\*If the owner is not available for a walk-through on the day of completion, an allowance will be made for withholding 10% of the balance due with the withheld amount due within 2 weeks of completion.

### **Credit Card / E-Check Payments**

Credit Card or E-Checking Account information will be required to hold on file upon signing of the contract. This information will be used for Progress Payments.



For jobs totaling over \$10,000.00, progress payments will be required throughout the course of the job.

#### 14. Cancellation & Refund Policy

You may cancel your project for a full refund, no later than midnight of the 3rd business day following our receipt of your deposit on the project. You must notify Stewart Painting, Inc. in writing, either by postal mail or delivered in-person to our main office at 379 Lyannough Road, Hyannis, MA, or by email to [office@stewartpaint.com](mailto:office@stewartpaint.com).

If you wish to cancel your project after 3 business days, you will be refunded the amount of your deposit less a 10% service fee as well as less the cost of any supplies or materials ordered for your project. In some cases, this may result in no refund being issued or an additional charge for costs incurred. Our office will notify you of any costs once the cancellation request is processed.

All refunds will be paid via check and mailed to the billing address provided at the time of deposit, within 10 days of cancellation.



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ESTIMATOR SIGNATURE

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DATE

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CUSTOMER SIGNATURE

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DATE

Estimate #14803 for Jonathan Bourne Historical Center/ Carl Georgeson

Total value: \$9,685.00



CertaPro Painters of Cape  
Cod  
3180 Main Street, PO Box  
1193  
Barnstable, MA 02630  
(508) 444-8859

<http://cape-cod.certapro.com>  
License: 175043 (Mass) Expires 4/16/2023  
Contractor License: 175043 (Mass) Expires  
4/16/2023  
Full Worker's Compensation Coverage  
\$1,000,000 Liability Insurance

**COMMERCIAL EXTERIOR**  
**Job #: JOB-1359-4582**  
Date 03/08/2023  
 **SHERWIN  
WILLIAMS**

We proudly feature Sherwin-Williams paints and stains.

## JOB SITE

### Jonathan Bourne Center EXT JOB-1359-4582

📍 30 Keene St  
Bourne, MA 02532  
☎ (201) 274-6220

## PREPARED BY

**Mark Arruda**  
Commercial Sales Associate  
☎ (774) 994-3004  
✉ [marruda@certapro.com](mailto:marruda@certapro.com)

## CLIENT

### Jonathan Bourne Historical Center

📍 30 Keene St  
Bourne, MA 02532



## CLIENT CONTACTS

Carl Georgeson  
M: 2012746220

## PRICING:

Bulkhead Shed	\$1,430.98
Cupola	\$5,483.51
Gable	\$1,759.38
Optional Front Trim	\$1,023.06
Rear Handicap Railing	\$2,140.09
Stucco Wash	\$280.93
Cost of Lift No Discount Applied	\$7,028.39
Commercial Discount	-\$1,817.69
Painting Only 15%	
<b>Subtotal:</b>	<b>\$17,328.65</b>
<b>Total:</b>	<b>\$17,328.65</b>
<b>Balance</b>	<b>\$17,328.65</b>

## GENERAL SCOPE OF WORK

Carl Georgeson is asking for a proposal for the Jonathan Bourne Historical Center located at 30 Keene Street in Bourne, MA. He is looking for a repaint of the Cupola so that it matches the yellow tapestry trim paint used on the rest of the building and to put a fresh coat of red paint on the baser and tin roof of the Cupola. He wants the trim painted on the front gable so that it matches the yellow tapestry trim paint used on the rest of the building. He wants the extended gable trim quoted as an option. He has agreed to a soft wash of the gable stucco. He wants to paint the trim and door on the rear bulkhead shed so that it also matches the yellow tapestry trim paint used on the rest of the building. He wants the handicap railing at the rear of the building to be cleaned and properly prepared while adding a fresh coat of paint.

## INCLUDES AND EXCLUDES

### INCLUDES:

Bulkhead Shed:

### EXCLUDES:

- Any surface not specified in the proposal
- Anything else not specified in the proposal

Ecofriendly handwash to the trim of the bulkhead using 30 Seconds Outdoor Cleaner to remove any dirt, salt and mold. Scrape and sand as necessary, spot priming any bare wood with an oil based primer. Prep and paint bulkhead trim with Two Coats Benjamin Moore-Regal Select High Build Acrylic Latex Low Luster Yellow TBD. Prep and paint Bulkhead door with Two Coats Moorglo Acrylic Latex Color TBD.

No Weather Vane. No Other Stucco that is not part of the Gable. No painting of the old rod iron rails on the front steps in front of the gable.

#### Cupola:

Ecofriendly wash to the exterior of cupola using 30 Seconds Outdoor Cleaner to remove any dirt, salt, mold and loose paint. Scrape and sand as necessary, spot priming and bare wood with an oil based primer. Scrape and sand as necessary, spot priming any bare metal with quality primer. Prep and paint Red Cupola substrate with Two Coats Sherwin Williams Pro Industrial DTM Acrylic latex Eggshell To Match. Prep and paint smooth ceiling and floor of cupola with Two Coats Sherwin Williams Duration Acrylic Latex Low Luster Yellow TBD. Prep and paint trim of cupola with two coats Sherwin Williams Duration Acrylic Latex Yellow TBD.

#### Gable:

Ecofriendly hand wash to the wood trim using 30 seconds Outdoor Cleaner to remove any dirt, salt, mold. Scrape and sand as necessary, spot priming bare wood with oil based primer. Prep and paint trim with Two Coats of Sherwin Williams Duration Acrylic Latex Yellow TBD.

#### Optional Front Trim:

Ecofriendly hand wash to trim using 30 seconds Outdoor Cleaner to remove any dirt, salt, mold. Scrape and sand as necessary, spot priming any bare wood with an oil based primer. Prep and paint trim with Two Coats of Sherwin Williams Duration Acrylic Latex Low Luster Yellow TBD.

#### Rear Handicap Rails:

Scrape and sand metal rails as necessary, spot priming any bare metal with a quality primer. Prep and paint rails with Two Coats Benjamin Moore Super Spec HP DTM Acrylic Alkyd Low Luster Black.

#### Stucco Wash:

Ecofriendly soft wash to exterior stucco of front gable using 30 Seconds Outdoor Cleaner to remove any dirt, salt, mold.

We are aware that there may be lead paint present and CertaPro is not a lead remediation company and this is not a lead remediation project. We will adhere by the EPA Renovate

Right Program.

This project is estimated to take 3-5 days to complete from start to finish weather depending.

Prevailing Wage Applies

CertaPro Painters of Cape Cod is a member of State Wide

Contract TRD-01

Pricing of this project is dependent on normal working hours.

## SURFACE PREPARATION

- Spot prime where bare wood on fascia with primer
- Spot paint as necessary before final coat
- Scrape loose and peeling paint
- Sand areas as necessary
- Sand and degloss to promote adhesion

### STANDARD LEVEL OF PREP

Unless stated otherwise in pictures and/or text in this proposal, this project is priced to include our standard level of prep. This includes the following:

- Wash or wipe down surfaces being painted.
- Scrape and sand loose and peeling paint. Please Note\*\* Scraping and sanding will not result in a smooth finish. There will be 'ridges' where paint was removed.
- Spot priming bare wood and metal in areas being painted or stained.
- Puttying, caulking, and wood filling as needed. We only caulk areas that were previously caulked and are missing or failing. We only remove caulking that is failing.

This level of prep DOES NOT include (Unless specified otherwise in this proposal) the following:

- Wood replacement
- Fixing imperfections that require feather sanding and bondo application.
- Full recaulking if caulk is not failing or missing.
- Resculpting trim and siding where damaged.
- Stripping existing surface coating.

## SET-UP

### CUSTOMER TO:

Keep vehicles away from building

### CERTAPRO WILL COVER & PROTECT

Bushes , Flower Beds , Light Fixtures

**Daily:** Ladders are taken down and stored in a designated area along with all other tools and supplies.

**Upon Completion:** All tools, supplies & equipment will be removed from the property.

## CLEAN UP

All debris will be swept and removed from the property or deposited in the appropriate trash receptacle according to the customer's preference.

## PROPOSAL AND COLOR SPECIFICATIONS

Surface/Item	Product	Paint / Primer Coats	Color
<b>Bulkhead Shed</b>			
Door(s)	Regal Select MoorGlo-Acrylic Latex-Soft Gloss	2 / 0	TBD
Fascia	Regal Select High Build-Acrylic Latex-Low Luster	2 / 0	Yellow TBD
Ecofriendly Trim Wash	Original Outdoor Cleaner-Other-Clear	1 / 0	

<b>Cupola</b>			
Siding - Red Cupola Substrate	Pro Industrial DTM-Acrylic Latex-Eggshell	2 / 0	To Match
Cupola Trim	Duration-Acrylic Latex-Low Luster	2 / 0	Yellow TBD
Siding - Cupola Smooth Ceiling and Floor	Duration-Acrylic Latex-Low Luster	2 / 0	Yellow TBD
Ecofriendly House Wash	Original Outdoor Cleaner-Other-Clear	1 / 0	
<b>Gable</b>			
Soffit	Duration-Acrylic Latex-Low Luster	2 / 0	Yellow TBD
Fascia	Duration-Acrylic Latex-Low Luster	2 / 0	Yellow TBD
Ecofriendly Trim Wash	Original Outdoor Cleaner-Other-Clear	1 / 0	
<b>Optional Front Trim</b>			
Fascia	Duration-Acrylic Latex-Low Luster	2 / 0	Yellow TBD
Ecofriendly Trim Wash	Original Outdoor Cleaner-Other-Clear	1 / 0	
<b>Rear Handicap Railing</b>			
Metal Rails	Super Spec HP DTM-Acrylic-Alkyd-Low Luster	2 / 0	Black
<b>Stucco Wash</b>			
Ecofriendly Wash	Original Outdoor Cleaner-Other-Clear	1 / 0	
<b>Included Details</b>			
Cost of Lift No Discount Applied			

## NOTES

OUR CERTAINTY SERVICES SYSTEM: To ensure that the project meets your expectations, we will:

- Meet with you at the beginning of the project to ensure all information is up to date and accurate.
- Communicate with you daily to inform you of what has been completed, what will be done tomorrow and any possible issues.
- And finally, have you do a final inspection with us to make sure that you are completely satisfied with the completed project.

## ADDITIONAL NOTES

### PAINTING STANDARDS

We paint wood up to vinyl replacement window frames or aluminum storm frames. If we get exterior access, we can paint insides of window sills.

### PICKING YOUR COLORS

To pick your colors, please go to the nearest Sherwin Williams or Benjamin Moore paint store. We will need to color name, color number, and sheen that you would like us to use. Color choices should be given to CertaPro no later than 5 days before your projects start date to avoid delays.

### ROTTING WOOD

If rotted wood is identified during the painting project, you will be notified. It is not always possible to identify rotting wood during the estimating process.

### PAYMENT TERMS:

A deposit of 30% is expected at the time of signing with final payment due at the conclusion of the project.

Should the customer not be available at the conclusion of the painting project, 80% of the contract price is expected (less deposit paid), with the remaining 20% due upon customer's final approval.

## SIGNATURES

CertaPro Painters Authorized Signature

Date

Authorized Client Signature

Date

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 Authorized Client Representative Name & Title

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 Client

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**PAYMENT DETAILS**


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**Payment is due:** In full upon job completion

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**COMMERCIAL DEFINITIONS AND CONDITIONS OF THIS CONTRACT**

**RELATIONSHIP** — The individual giving you this proposal is an independent contractor licensed by CertaPro Painters® to use its systems and trademarks to operate a painting franchise. The work will be completed by the independent franchised contractor. Please make any check payable to the franchise shown on the front of this proposal.

**COLORS** — Colors may be chosen by the client prior to commencement of work. If, after the job starts, a color change is required, the independent Contractor will have to charge for time and material expenses incurred on the original color.

**UNFORESEEN CONDITIONS** — Should conditions arise which could not be determined by visual inspection prior to starting work, the client must pay an agreed upon extra for the completion of such work.

**PROPOSAL** — This proposal is valid for 60 days after it was written. In addition, the Independent Franchised Contractor should be informed of your desire to have the work done and receive a signed copy of the proposal before work is to be started.

**ATTENTION CLIENT:**

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE BELOW NOTICE OF CANCELLATION FOR AN EXPLANATION OF THIS RIGHT. (SATURDAY IS A LEGAL BUSINESS DAY IN CONNECTICUT.) THIS SALE IS SUBJECT TO THE PROVISIONS OF THE HOME SOLICITATION SALES ACT AND THE HOME IMPROVEMENT ACT. THIS INSTRUMENT IS NOT NEGOTIABLE.

**NOTICE OF CANCELLATION**

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE BUSINESS DAYS FROM THE ABOVE DATE. IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN TEN BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED. IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO THE SELLER AT YOUR RESIDENCE IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE; OR YOU MAY, IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF THE SELLER REGARDING THE RETURN SHIPMENT OF THE GOODS AT THE SELLER'S EXPENSE AND RISK. IF YOU DO MAKE THE GOODS AVAILABLE TO THE SELLER AND THE SELLER DOES NOT PICK THEM UP WITHIN TWENTY DAYS OF THE DATE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION. IF YOU FAIL TO MAKE THE GOODS AVAILABLE TO THE SELLER, OR IF YOU AGREED TO RETURN THE GOODS AND FAIL TO DO SO, THEN YOU REMAIN LIABLE FOR PERFORMANCE OF ALL OBLIGATIONS UNDER THE CONTRACT. TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO:

Name of Seller **CertaPro Painters of Cape Cod**

DATE OF TRANSACTION \_\_\_\_\_

NOT LATER THAN MIDNIGHT OF \_\_\_\_\_

I HEREBY CANCEL THIS TRANSACTION

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 (Buyer's Signature)

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 (Date)
**LIMITED TWO YEAR WARRANTY**

Subject to the limitation set forth below, for a period of 24 months from the date of completion of the work described on the front of this contract, the Independent Franchise Owner named on the front of this contract (the "Contractor") will repair peeling, blistering or chipping paint resulting from defective workmanship.

## THIS LIMITED WARRANTY DOES NOT COVER:

- Any work where the Contractor did not supply the paint or other materials.
- Any work which was not performed by the Contractor.
- Varnished surfaces.
- Surfaces made of, or containing, galvanized metal.
- The cost of paint required to perform the repairs.
- Repairs to horizontal surfaces or any surface that, by virtue of its design permits moisture to collect. Surfaces include, but are not limited to, decks, railings, stairs, porches, roofs and wood gutters.
- Exact paint match as environmental conditions will affect the color and finish of all paints over time.
- Any repairs which are necessitated as a result of a defect in the paint regardless of whether the paint was supplied by the Contractor or the customer.
- Bleeding caused by knots, rust or cedar.
- Cracks in drywall, plaster or wood.
- Peeling, blistering or chipping where they are caused by:
  - mill-glazing from smooth cedar
  - ordinary wear and tear.
  - abnormal use or misuse.
  - peeling of layers of paint existing prior to the work performed by the Contractor.
  - structural defects.
  - settling or movement.
  - moisture content of the substrate.
  - abrasion, mechanical damage, abrasive cleaning, abuse or damage resulting from use of chemicals or cleaning agents or exposure to harmful solids, liquids or gases.
  - damage or defects caused in whole or in part by reason of fire, explosion, flood, acts of God, extreme weather conditions, misuse, alteration, abuse, vandalism, negligence, or any other similar causes beyond the control of the Contractor.

Repairs under this limited warranty will be performed only on the specific areas where peeling, blistering or chipping has occurred and only to the level of surface preparation described in the preparation section of the Contract.

## FOR THIS WARRANTY TO BE VALID, YOU MUST:

- Pay the full contract price.
- Retain a copy of the original contract.
- Retain a copy of your cancelled check or other evidence of payment in full.
- Pay for all materials used to perform the repairs.
- Make the property accessible to the Contractor, or his employees, to perform the repairs.

THIS LIMITED WARRANTY IS THE ONLY EXPRESS WARRANTY MADE BY THE CONTRACTOR AND IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED. THIS WARRANTY COVERS ONLY THOSE SERVICES PROVIDED BY THE CONTRACTOR TO THE ORIGINAL PURCHASER NAMED ON THE FRONT OF THIS CONTRACT. IN NO EVENT SHALL THE CONTRACTOR BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES IN EXCESS OF THE ORIGINAL CONTRACT PRICE. THIS WARRANTY MAY NOT BE ALTERED OR EXTENDED FOR ANY PURPOSE UNLESS DONE SO IN WRITING IN A DOCUMENT EXECUTED BY ALL PARTIES TO THIS CONTRACT.

This warranty gives you specific legal rights. Some jurisdictions do not allow limitations on how long an implied warranty lasts, so the above limitation may not apply to you. Some jurisdictions do not allow the exclusion or limitation of incidental or consequential damages, so the above limitations or exclusions may not apply to you.

For warranty service, you should contact your Contractor to schedule an inspection of your property by calling CertaPro Painters® at 800.462.3782.



## FORWARD

### Friends Or Relatives With Autism & Related Disabilities

*Opening Hearts ♥ Building Homes*

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January 26, 2023

Barry Johnson, Chairman  
Bourne Community Preservation Committee  
Town of Bourne  
Town Hall  
24 Perry Avenue  
Bourne, MA 02532

Dear Mr. Johnson and CPC Committee Members:

We are respectfully requesting a \$75,000 grant to support a \$4,350,000.00 regional housing project for Cape Codders with Autism and Related Developmental Disabilities to be constructed in Dennis. This type of specialized housing, open to all Cape Codders, is complex and requires support from many sources in our Cape community.

In 2020 we opened **FORWARD at the Rock Phase I**, two side-by-side group homes each accommodating four residents. The homes were quickly fully occupied and have now been operating as planned for two years. The project was opened on time and on budget, and we believe serves as a compelling example of a very successful municipal/state/nonprofit multi-town partnership. Residents of the homes were selected, placed and served by the State's Department of Developmental Services, and 24/7 staffing and supports are provided by Cape Abilities.

Six Cape CPCs (Dennis, Barnstable, Yarmouth, Mashpee, Brewster and Chatham) contributed \$1,050,000.00 to the project, with the remainder coming from the state and federal government as well from numerous foundations, businesses, and individuals. It was very much a community effort. We did not ask Bourne to help fund Phase I, but we are asking you to now assist in funding our new project.

We are now developing **FORWARD at the Rock Phase II**. This new construction will create eight one-bedroom apartments for independent living to accommodate developmentally disabled adults who still need supportive services, health and safety supervision and access to 24-hour emergency response, but do not require a congregate setting with around-the-clock staffing.

**Phase II** has already received support from the Department of Developmental Services (DDS), which will once again select and support the residents. With much of the needed infrastructure, including utilities and most of the driveway already brought to the site, we believe we can expeditiously move this project to completion if we receive sufficient early funding. The Dennis Planning Board has already approved our Special Permit, and we expect the homes to be open within two years from now.

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PO Box 1174, South Dennis, MA 02660, [www.go-forward.org](http://www.go-forward.org), 508-385-4663

*FORWARD builds affordable supportive housing that enables adults with autism and related developmental disabilities to thrive in an appropriate, safe, healthy, caring and stable environment while aging in place in their own lifelong homes.*

## FORWARD

### Friends Or Relatives With Autism & Related Disabilities

*Opening Hearts ♥ Building Homes*



This innovative new housing will be open to any Cape Codder who meets the eligibility requirements set by the Department of Developmental Services, and residents will be selected by the Department's Cape Area Office in Hyannis. Residents can come from any town on the Cape, including Bourne, and no town, including Dennis, has priority for placement.

There is an urgent and compelling need for this type of disabilities housing, and the decision to build supported apartments for independent living came only after discussions with parents, disability service providers, the Department of Developmental Services, and the convening of a Task Force and commission of a Housing Needs Study (attached). Although every form of affordable housing is needed for those with developmental disabilities, the strong consensus was that these apartments should be the top priority.

Bourne's funding of \$75,000 would be about 1.72% of the project's total cost, an important piece of the total funding. Further, in order to succeed we need all levels of support from many diverse funders from Bourne to Provincetown. Every dollar is important, and every CPC that supports this project helps us win additional grants from other towns, businesses, foundations and individuals. It also demonstrates the strong community support so critical when applying for large state grants.

We are grateful for your consideration and hope you will support our effort to complete **FORWARD at the Rock PHASE II**. Please let us know if you'd like any additional information, and we look forward to meeting with you and answering any questions you may have. Thank you again for this opportunity.

Sincerely yours,

*Kathy Ohman*

Kathy Ohman

President, FORWARD

ohmankathy@gmail.com

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PO Box 1174, South Dennis, MA 02660, [www.go-forward.org](http://www.go-forward.org), 508-385-4663

*FORWARD builds affordable supportive housing that enables adults with autism and related developmental disabilities to thrive in an appropriate, safe, healthy, caring and stable environment while aging in place in their own lifelong homes.*



**APPLICATION FOR BOURNE COMMUNITY PRESERVATION FUNDING**

FORWARD at the Rock PHASE II, Extremely Affordable Supported Housing for Cape Codders with Autism and Related Developmental Disabilities

Submit to: Community Preservation Committee

Town of Bourne

24 Perry Avenue

Buzzards Bay, MA 02532

**Name of Applicant** FORWARD (Friends Or Relatives With Autism & Related Disabilities)

**Name of Co-Applicant, if applicable** N/A

**Contact Name** David Kaplan

**Mailing Address** [REDACTED]

**Daytime Phone** [REDACTED] **Email** [REDACTED]

**Name of Proposal** FORWARD at the Rock PHASE II

**Address of Proposal** 131 Hokum Rock Road, Dennis MA 02638

**Assessors Map** 311 Parcel 3

**CPA Category** (circle all that apply):

Open Space Historic Preservation Recreation ☐ Community Housing ☒

**CPA Funding Requested** \$ 75,000 .00

**Total Cost of Proposed Project** \$ 4,350,000 .00

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

### Overview

The project is new construction of eight affordable and supportive one-bedroom apartments for Cape Codders with autism and related disabilities who can live independently but still need supportive services, health and safety supervision and access to 24-hour emergency response, but do not require a congregate setting with around-the-clock staffing.

All apartments will be built at ground level, and all will be barrier free, fully accessible, and designed to accommodate the sensory needs of residents with developmental disabilities. The building will include a common area for socializing with friends and family, skill training, shared meals and more.

Supportive services will be provided by the Massachusetts Department of Developmental Disabilities (DDS), which will also select and place all residents. Affordability is restricted to incomes less than 30% of Area Median Income and all rents will be subsidized through project-based vouchers.

The decision to build apartments for supported independent living was based on an assessment of the housing needs of the Cape's developmentally disabled population (see attached). Although all forms of housing are needed for these vulnerable and housing insecure members of our community, it was determined that these apartments presented the most immediate need and had the highest likelihood of getting built on a timely basis.

### Project Description – **FORWARD at the Rock, PHASE II**

We are building 8 units of extremely affordable housing (with no resident paying more than 30% of their total income) to help address the acute shortage of appropriate and fully accessible housing for Cape Cod adults with developmental disabilities. Residents will be selected from across the Cape based on their immediate housing vulnerability and on-going need for supportive services, and we anticipate that multiple Community Preservation Committees from across the Cape will contribute to the project funding, as will the County and Commonwealth. Phase I, two side-by-side group homes accommodating 8 residents -- further described below -- was completed in 2020, and of its eight residents, one each come from Sandwich, Yarmouth, Orleans, and Dennis, and four from Barnstable.

Each new PHASE II apartment will have one bedroom, and all will be fully accessible, barrier-free, and each designed to accommodate one adult with Autism or other developmental disability who does not require on-site around the clock care, but will require supports and services, assistive technology, and 24/7 access to health, safety and well-being services.

PHASE II will be built adjacent to Phase I on land already leased to FORWARD by the Town of Dennis. Each apartment will have a small but complete kitchen, a rear deck, direct front entry from

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

the sidewalk, fire suppression system with strobe, audible alarm, and connection to the fire department, wheelchair accessible showers, and a washer/dryer. Units will also have individual climate control, on-demand hot water, and automated fresh air intake and purification. The building will also have a common area for socializing, getting together with friends and family, skill training, shared meals, recreation, games, workouts, and more. The space will include a television viewing area for sports and movie nights, a kitchenette for life skills training and shared meals, exercise equipment, and a game and ping-pong table. Detailed plans and additional project information is attached to this application.

As with Phase I, PHASE II residents will be clients of the Department of Developmental Services (DDS) and will be selected, placed, supported and served by DDS. Along with project funding, FORWARD anticipates using *Department of Housing and Community Development Project Based Rental Vouchers* for all units. These vouchers will enable those most economically in need to qualify for residence even if they don't have a voucher themselves, and these vouchers will also provide sufficient cash flow to pay the project's mortgage, maintain the property, and fund long-term operating and capital reserves to ensure the project's long-term sustainability.

NOTE: Please see the attached **Housing Needs Study**, funded under a grant from the Barnstable County Economic Development Council, and conducted by Empower Success Corps, a nonprofit consulting organization for more information about the pressing need for this housing.

### *History*

This new PHASE II construction will be adjacent to FORWARD at the Rock Phase I, a regional housing project designed to provide lifelong homes for Cape Codders with Profound Autism and other developmental disabilities. Phase I of the project, completed in 2020, consists of two side-by-side group homes each with four residents with profound disabilities. Around-the-clock staffing and services are provided by Cape Abilities in partnership with the state's Department of Developmental Services (DDS), which selected the residents from among its clients served by the Cape Cod DDS area office in Hyannis. FORWARD acted as the developer of the project and owns the buildings which are located on 4.6 acres of town-owned land in Dennis. The building was opened on schedule and on budget and has been fully occupied and operating as planned since opening.

### *Regional Impact Based On Need*

It is important to note that although the Town of Dennis has provided the land and is supporting construction of PHASE II with \$750,000 in grants from its CPC and Affordable Housing Trust, the town gets no preference in resident placement. Instead, DDS selects tenants from its entire pool of Cape Cod clients. Further, for Phase I construction, in addition to \$500,000 from the Dennis CPC, CPCs from Brewster, Barnstable, Yarmouth, Chatham and Mashpee contributed another \$550,000 to the project. This is truly Cape-wide regional housing providing affordable forever homes for some of our most vulnerable and housing-insecure citizens. These benefits are open to all qualifying Cape Codders, including Bourne residents. In addition to the Dennis PHASE II contribution, the Yarmouth CPC voted unanimously to award \$180,000, and we have applications pending with Sandwich, Barnstable and Brewster.

## FORWARD at the Rock PHASE II

### Application For Community Preservation Funding, Bourne CPC, January 26, 2023

#### *Project Readiness*

FORWARD is ready to start construction as soon as the needed capital funding is committed. We project that funding goals will be reached in Spring 2023, and construction will commence in late summer of 2023.

Our development team is in place and includes:

- Housing Assistance Corporation (Development Consultant)
- Union Studio (Architect)
- Horsley Witten (Civil Engineers)
- Gary Barber (Clerk-of-the-Works)
- Organization Building Committee
- As well as a permitting attorney, closing attorney, accountant, CPA

Pre-development of the project is well advanced, and we are now entering a phase of development focused on raising the \$4,325,000 needed to complete construction. In October of last year, the Dennis Select Board unanimously approved PHASE II and, as noted above, the Dennis Town Meeting has already unanimously approved a \$685,000 construction grant from the Dennis CPC, and the Dennis Affordable Housing Trust approved a \$65,000 grant for pre-development costs. This funding represents a 50% increase in the \$500,000 Dennis committed for Phase I construction. In addition, an \$85,000 pre-development grant for FORWARD was included in the recently passed state budget, ensuring that we have adequate funding for predevelopment costs, including design, engineering, and permitting costs.

Site control is secured. The project received zoning approval from the Dennis Planning Board on October 17<sup>th</sup>, 2022 under the Town's Affordable Housing By-Law, and the project has been approved by the Old King's Highway Historic Committee and Mass Historical Commission. The site is 4.6 acres of town-owned land leased to FORWARD for 99 years. It is in a residential neighborhood, but is bounded by additional town owned land, gravel and sand pits both active and inactive, and one house at 151 Hokum Rock Road. The site is slopped north to south, with sandy soil and scrub pines. FORWARD anticipates a temporary construction right of way over adjacent town sand pit land to minimize disruption to the neighbors, staff and residents of Phase I, and also reduce wear and tear to the existing driveway. Please see the attached supporting documents.

#### *Meets CPA Funding Criteria & Benefits the Town of Bourne*

Although the project will not contribute to the Bourne Subsidized Housing Inventory, it does add 8 units to the Cape's inventory of extremely low-income affordable housing so desperately needed across the region. Because residents are selected by the Cape and Islands Area Office of the Department of Developmental Services based on need, no town has local preference for residence. Although the project is not designated as a 40B, all resident rents will be subsidized, all residents must have incomes less than 30% of Area Median Income, and no resident will pay more than 30% of that income towards rent.

No single Cape Cod town has the resources to undertake this type of project. The need is clear and well-documented but building affordable housing for this special population is expensive and



## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

complicated. To be successful, FORWARD needs the support of the whole Cape community, including the county and local municipalities.

### *Summary*

The population we serve is often not able to advocate on their own behalf, and all too often they are isolated and living in sub-standard conditions. FORWARD is the only organization exclusively devoted to addressing the demand to build lifelong homes for these Cape Codders who need our help. FORWARD at the Rock PHASE II is a regional project that addresses an ongoing crises of housing insecurity. (See Attached **Housing Needs Study**, funded under a grant from the Barnstable County Economic Development Council, and conducted by Empower Success Corps, a nonprofit consulting organization).

- **Goals:** What are the goals of the proposed project?

FORWARD Project Goals:

1. Build 8 one-bedroom apartments providing safe and supportive homes for Cape Codders with Autism and other Developmental Disabilities who need extremely affordable specialized housing.
2. Efficiently bring the project to full occupancy as designed, and on-time and on-budget.
3. Ensure the facility operates as planned for the benefit of the residents, providing appropriate, affordable and supported forever homes for Cape Codders with Developmental Disabilities.
4. Ensure long-term sustainability by funding capital and operating reserve funds, and operate the facility with positive cash flow.
5. Build with optimum safety and minimal impact on the neighborhood including, including Phase I residents and staff.
6. Demonstrate that Public/Nonprofit partnerships can work effectively to create new affordable housing.
7. Advance FORWARD's capacity to build additional specialized affordable housing on Cape Cod.

Additional Department of Developmental Services Statement on Project Goals:

*"Our goal is to provide housing to Individuals who are eligible with the Department of Developmental Services. Some of these adults are at risk for exploitation as well as could be in recovery from drug/alcohol abuse. DDS is a state agency that also works with transitioning adults from School based services to Adult supports. This includes people previously supported by DCF who meet criteria for an Intellectual Disability or Autism Spectrum Disorder. DDS would assist in prioritizing who is to receive an apartment and adults who are homeless or deemed at risk for homelessness would be given priority. **The goal is to provide permanent stable housing to adults with ID/DD on Cape Cod.**"*

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?

PLEASE SEE THE ATTACHED HOUSING NEEDS STUDY

As stated on page 57 of the Comprehensive Plan:

“The housing goal of the Bourne Local Comprehensive Plan is to create an adequate supply of housing that is safe, healthy, and attainable for people of all income levels and diverse needs to purchase or rent.”

This project, although not located in Bourne will be open to Bourne residents, and clearly addresses the need for an adequate supply of housing that is safe, healthy, and attainable. It is designed to meet the needs of very low-income Cape Codders with developmental disabilities in need of supported lifelong homes.

PHASE II also addresses the Plan’s Housing Policy statement to:

“Protect and expand the supply of housing available and suitable for persons who are aging, physically or mentally challenged, or have other acute needs.”

The Housing Production Plan addresses that same need in its goal number2:

“Increase housing opportunities for those in targeted categories of housing need. The Town intends to expand the supply of housing available and suitable for persons who are physically or mentally challenged and those who have acute needs because of their special vulnerability: elders, persons with AIDS, homeless, and single female heads of households as well as more generally serving low-income and very-low income households regardless of particular circumstances.”

As we all are acutely aware, in the years since that plan was developed the Cape Cod housing crises has worsened, and for those with disabilities, the situation is dire.

- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.

PLEASE SEE THE ATTACHED LETTERS OF SUPPORT

FORWARD has benefitted from overwhelming community support, both from Dennis and from across the Cape, as the attached Letters of Support attest. You will note that these letters come from diverse stakeholders including parents, government representatives and service providers. We have encountered no NIMBYism, and have the full support of the broader community. We have enlisted dozens of volunteers, and our recent fundraising event attracted 170 attendees, over 25 sponsors and more than 60 donors. Our recent \$685,000 grant from the Dennis CPC was passed unanimously by the Committee, and subsequently passed unanimously by the Select Board, Finance Committee and Town Meeting.

## FORWARD at the Rock PHASE II

### Application For Community Preservation Funding, Bourne CPC, January 26, 2023

As noted earlier, our Phase I project received funding from 6 Cape CPCs, and our board members come from as far towns geographically separated as Sandwich and Wellfleet.

The Town of Dennis is extremely supportive of the project, and we expect the project to built efficiently in a timely manner with no major hurdles to completing and opening the facility.

- ***Timeline:*** What is the schedule for project implementation, including a timeline for all critical milestones?

- Completed: Pre-Development Design and Engineering
- Completed: Dennis Select Board Approval
- Completed: Dennis Zoning Approval – Special Permit
- Completed: Old Kings Highway Historic & MA Historic Approval
- Completed: Environmental Site Assessment Conducted, No Issues
- Completed: Department of Developmental Services Certification
- February 1, 2023: All Capital Funding Applications Submitted
- March 1, 2023: Bid Package Sent to General Contractors
- April 15, 2023: Contractor Selected
- May 1, 2023: Building Permit Application Filed
- May 30, 2023: Capital Fundraising Complete
- June 1, 2023: Closing on Financing Commences
- June 15, 2023: Building Permit Granted
- July 30, 2023: Financing Closed
- August 15, 2023: SITE WORK COMMENCES
- October 15, 2023: Foundations Complete
- November 15, 2023: Exterior Framing & Sheathing Complete
- December 15, 2023: Roofing & Exterior Windows & Doors Complete
- December 30, 2023: Rough HVAC, Plumbing, Electric Complete
- January 15, 2024: Exterior Trim & Siding Complete
- December 15, 2023: Roofing & Exterior
- January 30, 2024: Interior Framing Complete
- February 30, 2024: Insulation, Drywall Complete
- April 15, 2024: Interior Trim Complete
- May 15, 2024: Flooring and Cabinetry Complete
- June 15, 2024: Painting, HVAC, Plumbing & Electrical Complete
- July 30, 2024: Occupancy Permit Issued
- August 1, 2024: DDS Compliance Completed
- August 15, 2024: OPEN FOR RESIDENTS

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

- **Credentials:** How will the experience of the applicant contribute to the success of this project?

SEE ATTACHED GOVERNANCE, OPERATIONS & TIMELINE FOR ADDITIONAL INFORMATION

FORWARD at the Rock Phase I was opened in 2020. The \$2.7 million project was built on Town owned land in Dennis and provides lifelong homes for 8 Cape Codders with Autism and related developmental disabilities. The housing consists of two group homes, each with 4 residents, with around-the-clock staffing provided by Cape Abilities. Rent is set at <30% of Area Median Income, with residents selected by the Department of Developmental Services from their pool of Priority One clients. Major funding for the project came from six CPCs (Dennis, Barnstable, Yarmouth, Mashpee, Brewster and Chatham), the state's Department of Housing and Community Development, and the Cape Community including individuals, businesses and foundations and a \$470,000 mortgage.

Since opening on-time and on-budget, the facility has operated as planned and is occupied by the same eight original residents coming from Sandwich, Barnstable, Yarmouth, Dennis and Orleans. The project has positive cashflow, and we continue to pay down our mortgage and increase our capital reserves.

Our project partners for PHASE II include:

- Massachusetts Department of Developmental Services
- Housing Assistance Corporation (Development Consultant)
- Union Studio (Architect)
- Horsley Witten (Civil Engineers)
- Gary Barber (Clerk-of-the-Works)
- Organization Building Committee
- As well as a permitting attorney, closing attorney, accountant, CPA

- **Success Factors:** How will the success of this project be measures? Be as specific as possible.

We will measure the project's success against our mission and the goals stated earlier.

Our mission is:

*To build affordable supportive housing that enables adults with autism and related developmental disabilities to thrive in an appropriate, safe, healthy, caring and stable environment while aging in place in their own lifelong homes.*

We endeavor to adhere closely to that mission to get this type of high quality specialized housing built quickly. The need can't wait.

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

### Goals:

1. Build 8 one-bedroom apartments providing safe and supportive homes for Cape Codders with Autism and other Developmental Disabilities who need extremely affordable specialized housing.
  - Build, permit and open facility within one year of start date.
2. Efficiently bring the project to full occupancy as designed, and on-time and on-budget.
  - Monitor on-going construction. Work with partners to transition occupants.
3. Ensure the facility operates as planned for the benefit of the residents, providing appropriate, affordable and supported forever homes for Cape Codders with Developmental Disabilities.
  - Meet DDS, DHCD and HUD compliance requirements
4. Ensure long-term sustainability by funding capital and operating reserve funds, and operate the facility with positive cash flow.
  - Build reserves which enable the facility to be self-sustaining and operate in perpetuity.
5. Build with optimum safety and minimal impact on the neighborhood including, including Phase I residents and staff.
  - Monitor and eliminate any deviation.
6. Demonstrate that Public/Nonprofit partnerships can work effectively to create new affordable housing.
  - Work with partners and funders to promote efficacy of this model of housing production.
7. Advance FORWARD's capacity to build additional specialized affordable housing on Cape Cod.
  - As PHASE II construction progresses, begin pre-development of next building project.

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)

CPA funds will be spent for direct development expenses. No funds will be used for maintenance expenses. See attached detailed Sources and Uses Budget.

Uses	Amount
Structural Hard Costs	\$1,921,374.00
Site Work Hard Costs	\$558,750.00
General Conditions & Permit, Builder Fees	\$583,582.00
Construction Contingency	\$296,871.00
Construction Soft Costs	\$419,819.00
Overheads, Fees & Reserves	\$569,604.00
Land Acquisition	\$0
<b>Total Project Cost</b>	<b>\$ 4,325,000.00</b>



## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?

See below. Maintenance will be funded from rents. See attached Pro forma budget for operating income and expenses. We anticipate the we will use Project Based Vouchers paying 110% (includes utilities) of Fair Market Rent to subsidized rent paid by residence.

Sources	Amount	Status
Dennis CPC/Housing Trust	\$750,000.00	Funded
State Funding Earmark	\$85,000.00	Funded
State Funding - DHCD	\$1,500,000.00	Submitted
Yarmouth CPC	\$180,000.00	Pending Warrant
Brewster CPC	\$120,000.00	Submitted
Barnstable CPC/Trust	\$375,000.00	Submitted LOI
Sandwich CPC	\$43,500.00	Submitted
Bourne CPC	\$75,000.00	
Other CPCs/County	325,000.00	TBD
Mortgage	\$665,000.00	TBD
Owner Equity	\$231,500.00	TBD
<b>TOTAL PROJECT SOURCES</b>	<b>\$4,325,000.00</b>	

## FORWARD at the Rock PHASE II

Application For Community Preservation Funding, Bourne CPC, January 26, 2023

- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

FORWARD will be responsible for all maintenance and capital repairs. Maintenance will be funded from cash flow from rents, and will be outsourced to a third-party property manager such as Cape Associates, Inc. FORWARD will also maintain a Capital Reserve Fund to cover any unanticipated capital expenses. However, repair and replacement costs should be minimal since this will be new construction overseen by the FORWARD Clerk-of-the-Works, the FORWARD architect, the lender's architect and the FORWARD Building Committee, and warranted by the General Contractor for one year. FORWARD will also maintain service contracts and warranties for all building systems.

**ADDITIONAL INFORMATION:** Provide the following additional information, as applicable.

1. Documentation that you have control over the site, such as Purchase and Sale Agreement, option, or deed.

See attached Site Control documents.

2. For projects that include construction or rehabilitation, include the existing and proposed site plan, floor plans, elevations, and any other drawings as necessary to visually describe the proposal.

See attached Design and Engineering Plans

3. Evidence that the project is in compliance with the Zoning Bylaw, or any other laws or regulations. Or, if zoning relief was required, specify what relief was needed and when an application was approved and relief granted by the town Zoning Board f Appeals.

See Zoning Approval included in Site Documents

4. Evidence that the appropriate Town Boards and Commissions have approved the project (for example, proposed new uses on Parks & Recreation land requires approval from the Town Recreation Committee)

See Select Board and Town Meeting Approvals in Site Documents

5. Evidence that the proposed site is free of hazardous materials or that there is a plan for remediation in place.

See Environmental Assessment in Site Documents

6. Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed.

See Organization Documents

8. Information indicating how this project can be used to achieve additional community benefits.

## FORWARD at the Rock PHASE II

### Application For Community Preservation Funding, Bourne CPC, January 26, 2023

See Housing Needs Study

8. Evidence that the applicant organization has adequate administrative and oversight capability to complete the work.

See Organization Information attached

9. Evidence that the applicant organization certifies, under the penalties of perjury, to the best of his/her knowledge that:

- The applicant has filed all State (Commonwealth of Massachusetts) tax returns and paid all State and Town taxes under law.
- Under the provisions of Chapter 701 of the Acts of 1983, the applicant's application is in all respect bona fide, fair and made without collusion or fraud with any other person. As used in this section, the word "person" shall mean any natural person, joint venture, partnership, corporation, union, committee, club or other business or legal entity.
- The applicant has not engaged in any unlawful discrimination based upon race, color, religious creed, national origin, sex, sexual orientation or veteran status and has complied with Town of Bourne affirmative action policies and practices with respect to their application.

#### **See attached Certification Letter**

NOTE: If the requested funds are for a real estate acquisition, an independent appraisal will be required which the applicant will be required to fund initially. No funding decisions will be made without an independent appraisal. Contact the Town's Open Space committee to arrange for an independent appraisal.

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. *(Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)*

- \_\_\_\_\_ 1) Does the project have other sources of funding? If so, indicate percentage.
- \_\_\_\_\_ 2) Does the project require urgent attention?
- \_\_\_\_\_ 3) Does the project serve a currently underserved population?
- \_\_\_\_\_ 4) Does the project preserve a threatened resource?
- \_\_\_\_\_ 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- \_\_\_\_\_ 6) Does the project fit within the current or already proposed zoning regulations?
- \_\_\_\_\_ 7) Does the project have a means of support for maintenance and upkeep?
- \_\_\_\_\_ 8) Does the project involve currently owned municipal assets?
- \_\_\_\_\_ 9) Does the project have two other sources of funding?
- \_\_\_\_\_ 10) Does the project have more than two other sources of funding?
- \_\_\_\_\_ 11) Does the project involve two core concerns of the CPA?
- \_\_\_\_\_ 12) Does the project involve all three-core concerns of the CPA?
- \_\_\_\_\_ 13) Does the project have community support?
- \_\_\_\_\_ 14) Does the project have sufficient supporting documentation?
- \_\_\_\_\_ 15) Does the project have support from another Board or Committee?
- \_\_\_\_\_ 16) Does the project provide a positive impact to the community?
- \_\_\_\_\_ 17) Does the project have the support of the majority of immediate abutter?

## Affordable Housing Selection Criteria

Check each line as it applies:

- \_\_\_\_\_ 1) Will this involve the renovation of an existing building? If so,  
Is the building structurally sound?  
Is it free of lead paint? (this would be necessary if children are to live there)  
Is it free of asbestos, pollutants, and other hazards? Is there Town sewerage?  
Is the septic system in compliance with Title 5?  
Does the building comply with building and sanitary codes?  
Is it handicap accessible?  
Is this a conversion of market rate to affordable housing?  
Is this a tax title property?
- \_\_\_\_\_ 2) Does this project involve the building of a new structure? If so,  
Will the structure be built on tax title property?  
Will it be built on Town owned land?  
Will it be built on donated land?  
Are there other grants available to help fund this project? Explain.  
Are there other programs such as Habitat for Humanity involved?  
Will the project be built on a previously developed site?
- \_\_\_\_\_ 3) Does the project provide housing that is similar in design and scale with the surrounding community?
- \_\_\_\_\_ 4) Does this serve the 60% income level population?
- \_\_\_\_\_ 5) Does this serve the 80% income level population?
- \_\_\_\_\_ 6) Will this be geared to one age group?
- \_\_\_\_\_ 7) Is this infill development?
- \_\_\_\_\_ 8) Will there be more than two bedrooms?
- \_\_\_\_\_ 9) Will it be located near conveniences (grocery, mass transit, etc.)?
- \_\_\_\_\_ 10) Does this project fit with the Master Plan?
- \_\_\_\_\_ 11) Will there be multiple units?
- \_\_\_\_\_ 12) Is long term affordability assured?
- \_\_\_\_\_ 13) Will priority be given to local residents, Town employees, or employees of local businesses?

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TOWN CLERK BOURNE

Application for Community Preservation Funding  
Submit to: Community Preservation Committee  
Town of Bourne  
24 Perry Ave.  
Bourne, MA 02532

## Housing Services Application FY 2024 – Priority 1

Name of the Applicant: Bourne Housing Partnership

Name of Co-Applicant if Applicable: Bourne Affordable Housing Trust Fund

Contact Name: Susan Ross, Chairperson

Mailing Address: Bourne Housing Partnership, Town Hall, 24 Perry Ave., Bourne, MA 02532.

Daytime Phone: [REDACTED] E-mail: [REDACTED]

Name of Proposal: Bourne Affordable Housing Services and Support FY 2024

Address of Proposal: Bourne Housing Partnership, Town Hall, 24 Perry Ave., Bourne, MA 02532

Assessor's Map and parcel number: N/A

CPA Category (circle all that apply): Open Space - Historic Preservation - Recreation - {Community Housing} This the First Priority Application from the Housing Partnership and Housing Trust

CPA Funding Requested: \$91,500 Total Cost of Proposed Project: \$93,500

### PROJECT DESCRIPTION:

It is proposed that this program will provide direction, program design and implementation, liaison to governmental, quasi-governmental, and private entities, day-to-day staff support, and consulting services to the Bourne Housing Partnership, the Bourne Affordable Housing Trust, and frequently, to the Town in general.

The housing staff over the years has provided professional services in the building, financing, and sale and resale of affordable single-family homes and the implementation of housing rehabilitation programs. Accomplishments include:

- the establishment of the Bourne Affordable Housing Trust Fund
- creation of the B-HOPP (purchase buy down) program and GAP program;
- creation of a DHCD approved resale ready buyer list which has been widely re-advertised in accordance with DHCD requirements;
- the development and successful completion of a new home construction and sale program;



- the development of a special permit by-law for affordable non-conforming lots
- served as the catalyst the first successful Community Development Block Grant;
- served as monitoring agent for the resale and marketing of deed restricted units;
- purchase and resale of properties in jeopardy of being lost as affordable;
- the reinstatement of multiple units that had been removed from the State's Subsidized Inventory List;
- the development of the down payment/closing cost program;
- the development of strong working relationships with local, regional, state, and federal agencies;
- assisted the Town Planner and Planning Board in negotiations for affordable units in the new Connect 5 Bourne Apartments project.
- And, recently worked successfully in cooperation with the Town Planner and Planning Board to receive Town Meeting approval to revise the Affordable Housing requirements in the Buzzards Bay Growth Incentive Zone (GIZ) and the definition of an "affordable unit" in the Town's Zoning Bylaw.

Conceptualizing and negotiating an agreement in which the Trust assisted the Town in its efforts to develop a work out strategy for the Pilgrim Pines Development. The four-remaining deed restricted homes in the project have been built and sold to eligible buyers. The development, marketing, and sale of the affordable homes at 143 Old Plymouth Rd. and 31 Wing Rd. in Pocasset have been completed. The Trust purchased the 31 Wing Rd. site and subsidized the sale price with CPA funds and received a special permit from the Planning Board under the non-conforming lot ordinance mentioned above. The Trust has obtained a special permit to construct and sell a single family deed restricted home on Horne Ave in Pocasset.

The part time staff will work on the following key projects:

For the Partnership:

- Continue to monitor the affordable housing inventory and the sale of new affordable homes by private developers and other not for profit developers; market the resale of deed restricted affordable homes including to develop procedures to allow greater coordination with the real estate brokerage community to assist the Town in this process. The staff will continue to provide assistance to those seeking affordable housing options and review, for eligibility, applications for various affordable housing benefits and purchases.
- Work to implement the actions proposed in the updated Housing Needs Assessment and Action Plan.
- Revise existing and/or create new incentives for affordable home purchase programs and create opportunities for affordable rental properties.
- Provide review and recommendations to the Partnership and Town on development projects.
- Maintain and update the "Guide to Housing Programs" publication.
- Review Cape wide efforts to expand the availability of accessory rental dwelling units and recommend changes to local ordinances where such changes would be beneficial.
- Implement the Trust's Down Payment/Closing Costs Program.



## For the Housing Trust

- Implement the program to acquire building lots on the open market and through the nonconforming lot by-law and other tools available. The Trust plans to work with a developer to build affordable deed restricted 3 bedroom home on Horne Ave. in Pocasset which was donated to the Trust by the former owners and has received a Special Permit for the project. The Trust, after requesting proposals, is currently on hold with this project until market conditions stabilized.
- Implement the process to build new affordable homes and/or purchase, rehab, and sell existing properties where opportunities exist.
- Continue to provide the Trust and Town with a boilerplate for the documents and procedures utilized on the affordable housing development and sale process
- Seek additional sources of funding for the creation of new affordable homes and affordable rental units.
- Develop new financial resources
- Continue the Trust's role in coordinating the Bourne Critical Needs Affordable Home Repair Program (using CDGB home repair pay back funds) and coordinate with the USDA Housing Rehab Program (the Trust is currently working with approximately 6 home repair requests) ( 2 of which have been recently completed).
- Work to further the affordable housing goals as they relate to the Downtown Buzzards Bay revitalization efforts including the creation of additional affordable rental units.

1. *Goals:* The goals of the program are to provide the professional and administrative capacity to: preserve and expand the Town's current stock of affordable owner occupied homes and affordable rental housing units; provide Bourne with advice relative to new proposals to build affordable owner occupied and rental housing; build and sell or acquire and resell homes to income eligible households that will be held in perpetuity as affordable and will be added to the State's Subsidized Inventory List in an effort for the Town to meet its 10% goals under the State's 40B requirements; and design, form and implement the planning, regulatory, monitoring, development, and financial tools for the long term creation and preservation of affordable housing in Bourne.

2. *Community Need:* This proposal provides the Town with the ability to further the affordable housing goals of the Comprehensive Plan and the Town's Housing Needs Assessment and Action Plan. The development activities under this project will focus both on single family homes and opportunities to expand affordable rental resources. Research conducted in preparing the Housing Action Plan indicates the significant need for both rental and home ownership units.

3. *Community Support:* The activities proposed within are supported by the Bourne Housing Needs Assessment and Action Plan and The Comprehensive Plan. The Trust was created at Town Meeting with the support of the Bourne Housing Partnership and the Housing Authority for the purpose of carrying out the type of activities proposed within this application. Local support has been demonstrated in many ways over recent years. The Trust successfully completed the development and sale of affordable homes in a number of Town Villages. Also, when monies were provided in lieu of units at the Keystone assisted living project in Buzzards Bay, those funds were directed by the Town



to the Trust for its use in providing affordable housing. This application has been submitted in cooperation with the Housing Partnership, the Housing Trust, and as always, in cooperation with the Housing Authority which has representation on the Partnership. A member of the Board of Selectmen is one of the Trustees of the Trust. This proposal was unanimously approved for submission at the meeting of the Bourne Affordable Housing Trust and the Bourne Housing Partnership on February 10, 2022.

4. *Timeline:* The proposed activities will continue throughout the 2023 Fiscal Year. The process of buying land and building new affordable homes will be a continuous effort.

5. *Credentials:* The Partnership and Trust have access to the skills and knowledge of Town professionals. They have been successfully served by an accomplished part time administrative staff and expect to continue using this part-time formula. The two organizations have memberships that include: a member of the Board of Selectmen who was the past Chairman of the Bourne Housing Authority; a Bourne based real estate broker, a retired engineer from such organizations as Bechtel and the MBTA and who has significant knowledge of the construction and development process; and, the Chairperson of the Bourne Housing Partnership and now also the Chairperson of the Housing Trust is not only an experienced local realtor but has been at the center of the Bourne affordable housing effort since the inception of the Bourne Housing Partnership. Also, another committee member of both the Trust and the Partnership has many years of entrepreneurial success and civic involvement including participation in economic development activities for the city of Worcester. The membership of the Partnership, in addition to the Chairperson, the Executive Director of the Bourne Housing Authority, as well as, a long-time resident with a successful business background. The Town Planner is also a member of the Housing Partnership.

The Partnership and Trust believe that its membership and support staff will continue to have strong credentials for the purposes proposed in this application.

6. *Success Factors:* Success would include the continued successful implementation of the wide variety of programs and services outlined above;

7. *Budget:* The following budget is for the estimated cost of the services of the 2 part time Administrative Assistants. One is the Program Manager and one is the Accounting Assistant and other misc. duties, contract professional, technical, marketing, and translation services, legal assistance; and related supplies and operating expenses. Funds to cover the costs for the actual projects implemented, for example, the purchasing land and building houses, are from other funding sources discussed below.

CPA funds Requested: \$91,500. Total project cost \$93,500

Part time Staffing services including: 2 Administrative Assistants one of which is a Program Manager and the other for our bookkeeping and accounting. Duties also include minutes, filing, mailings, research, marketing, applicant eligibility analysis, grant and proposal writing & management; assist Planning Office where necessary; appraisals; bill processing; bidding; Registry of Deeds; Complete administrative support for Emergency Repair Program; etc

\$52,000



Supplies, equipment, insurance, training, conferences \$4,000  
and travel; mailing costs; printing; computer applications and maintenance; Advertising,  
etc.

Outside professional, technical, & legal support, translation marketing services; \$37,500  
**HAC Monitoring Contract (\$15,500 + per year); inspections; Housing Production  
Plans Assistance; Administrative assistance and fair share contribution to the cost of  
Lotteries on at least 2 current projects (\$12,000+), and contingency costs.**

Subt \$93,500

The Housing Trust will provide additional overhead. Subt \$2,000

<b>Total Project Cost</b>	<b>\$93,500</b>
<b>Total CPA</b>	<b>\$91,500</b>

8. *Other funding:* This funding request is for the funds needed to provide for the staff to implement a number of projects, programs, and administrative activities. Plus, Affordable Housing will be turning in \$82,000 from the Emergency Rent/Mortgage Program (Covid Relief Funding) for redistribution, at the May 2023 town meeting.

In summary, the services provided annually over the past few years have been the catalyst for hundreds of thousands of dollars in construction of new affordable homes, housing repairs, and grant proceeds. This does not include the benefits of the resale of affordable homes to eligible buyers and the successful work to avoid the loss of “affordables” through foreclosure. In addition, Affordable Housing has not had an increase in funding our Administrative Requests for over 3 years while our program have increased dramatically.

9. *Maintenance:* N/A

### **Additional Information**

This application is for the services of needed support staff and administrative costs and not for specific projects. The projects completed by the Partnership and Trust meet the highest level of construction standards required, are typically scattered site, and designed to fit into existing neighborhoods.

Therefore, items 1 through 5 are not applicable at this time.

The questions below are answered in consideration of the above.

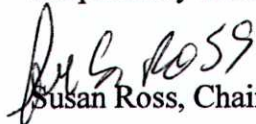
Item 6 “appropriate professional standards”. The Partnership, part time, and consultants as needed work ensure that projects and activities meet all applicable codes and standards  
7. The Housing Services staff assists the Town in a wide variety of housing related issues such as grant applications, zoning regulations, review of proposed projects, and a central

source of housing related information. This is in addition to the variety of functions listed earlier.

8. "Of the evidence of adequate administrative and oversight capability" is covered under item 5 above and, in addition, it is noted that the Town Treasurer has financial authority over Trust funds. All invoices require the approval of the Chairperson, and have previously been submitted through the Town Planner's office, and paid directly through the Finance Department. It is our understanding that invoices will now be submitted to CPA or the Town Administrator and then to Finance.

9. The Trust has been established by the Town and the Declaration of Trust is available. Each real estate transaction requires that each Trustee must certify a Declaration of Beneficial Interest which is prepared and reviewed by Counsel and submitted to the Commonwealth. The Partnership acts through the Town of Bourne. All financial transactions occur through the Town Finance Department.

Respectfully Submitted,

  
Susan Ross, Chairperson



## General Selection Rating Criteria

### Partnership Housing Services FY 2024

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. *(Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)*

- Y 1) Does the project have other sources of funding? If so, indicate percentage.  
2.5%
- Y 2) Does the project require urgent attention? Yes, staff; monitoring agreements and Lotteries are key components towards the success of all programs.
- Y 3) Does the project serve a currently underserved population? Housing for those under 80% of median income
- Y 4) Does the project preserve a threatened resource? Yes, deed restricted affordable housing which can be lost if not protected at resale or foreclosure if no action taken by Town or Trust
- Y 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan? Housing Needs Assessment and Action Plan and Comprehensive Plan
- Y 6) Does the project fit within the current or already proposed zoning regulations? All projects do. For example, the Wing Rd single family home has a special permit approval and the Trust has received a Special Permit for a deed restricted 3 bedroom home on Horne Ave.
- N/A 7) Does the project have a means of support for maintenance and upkeep?
- N/A 8) Does the project involve currently owned municipal assets?
- Y/N 9) Does the project have two other sources of funding? Has one other source of funding committed (from the Housing Trust) and often when a deed restricted property is resold a 2% fee is returned to the Trust or Partnership to reimburse marketing costs. Repayment from the Block Grant pays for emergency housing rehab.
- N 10) Does the project have more than two other sources of funding?
- N/A 11) Does the project involve two core concerns of the CPA? Projects carried out both create new deed restricted affordable housing and preserve existing affordable units.
- N/A 12) Does the project involve all three-core concerns of the CPA?
- Y 13) Does the project have community support? The Town of Bourne has demonstrated support for the efforts undertaken by the staff funded through this program by consistently and overwhelmingly supporting projects and activities that have been generated by the Partnership and Trust. This application was unanimously approved by the Housing Trust and Partnership.
- Y 14) Does the project have sufficient supporting documentation?
- Y 15) Does the project have support from another Board or Committee?  
This application has traditionally been supported not only by the Bourne Housing Partnership and Affordable Housing Trust but also by the Bourne Housing Authority and the Town Planner both of which are represented by the Partnership.



A member of the Board of Selectmen is a Trustee under the Declaration of Trust.  
We are hopeful of their continued support with this application.

- Y 16) Does the project provide a positive impact to the community?  
The benefits of this project are provided to the community through the continued efforts by the staff funded to provide additional affordable housing units, preserve the existing units through monitoring of re-sales, assisting those seeking affordable housing to identify opportunities, advising local boards and departments on affordable housing issues and by seeking out sources of funding for a variety of activities related to the creation and preservation of affordable housing.
- N/A 17) Does the project have the support of the majority of immediate abutter?

### **FY 2024 Housing Services Application : Specific Criteria**

Proposals which address as many of the following specific criteria possible will receive preference:

Note: the funds requested under this project are to provide technical housing rehabilitation support to low and moderate income home owners as yet not unknown and that funds will not be used for any construction costs.

- Contribute to the goal of achieving 10% affordable housing;  
This proposal preserves existing affordable owner occupied housing but the units will not necessarily be on the Towns Subsidized Housing Inventory ie the 10% housing list.
- Promote a socioeconomic environment that encourages a diversity of income, ethnicity, religion and age.  
Programs operated through the Housing Partnership and Housing Trust are required to be and are implemented in such a way to not discriminate against any of the above groups and to encourage the participation of all who are eligible.
- Provide housing that is harmonious in design and scale with the surrounding community. This helps preserve such units and benefits the neighborhood by repairing properties that are deteriorated.
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units. N/A
- Ensure long-term affordability. In some cases units will be deed restricted "affordables" but others will be owned by low and moderate income families and no affordable deed restriction will be required by them.
- Promote use of existing buildings or construction on already developed or Town-owned sites.  
All projects undertaken will be on currently existing structures.
- Convert market rate to affordable units: N/A
- Give priority to local residents, Town employees, and employees of local businesses.  
The Partnership and Trust follow the requirements of the Commonwealth of Massachusetts. All units assisted will be owner occupied units within the town of Bourne.



**TOWN OF BOURNE**  
**Sagamore Road Emergency Access Ramp**  
**& Stormwater Improvements**  
**2023 ATM CPA Application**  
**Engineering Department, Department of Natural Resources**



Photo: Christopher Southwood, Jan 2023

RECEIVED  
2023 JAN 26 PM 3:26  
TOWN CLERK BOURNE

## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Name of Applicant Engineering Department

Name of Co-Applicant, if applicable Department of Natural Resources

Contact Name Tim Lydon 

Mailing Address 24 Perry Ave Room 201 City Buzzards Bay State MA Zip 02532

Daytime Phone 508-759-0600 x1345 Email tlydon@townofbourne.com

Name of Proposal Sagamore Beach Emergency Access Ramp & Stormwater Improvements

Address of Proposal 0 Sagamore Rd

Assessors Map 4.1 Parcel 144.00

CPA Category (circle all that apply): ☐ Open Space ☐ Historic Preservation ☐ Recreation ☐ Community Housing

CPA Funding Requested \$ 150,000 Total Cost of Proposed Project \$ 225,000

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?
- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.
- **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?
- **Credentials:** How will the experience of the applicant contribute to the success of this project?
- **Success Factors:** How will the success of this project be measured? Be as specific as possible.
- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)
- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?
- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?



**TOWN OF BOURNE**  
**ENGINEERING DEPARTMENT**



TIMOTHY P LYDON, SIT, CFM  
ENGINEERING TECHNICIAN

TOWN HALL  
24 PERRY AVE.  
BUZZARDS BAY, MA 02532  
PHONE: 508-759-0600 x1345 • FAX: 508-759-8026  
Email: tlydon@townofbourne.com

DATE: January 26, 2023  
TO: Community Preservation Committee  
FROM: Town Engineering Department and Department of Natural Resources (DNR)  
  
RE: **2023 CPA Application – Sagamore Beach Emergency Access Ramp and Stormwater Improvements**

Dear Community Preservation Committee,

The Engineering Department and DNR provide the following responses to the CPA application:

*Goals: What are the goals of the proposed project?*

The shoreline of Sagamore Beach is a high priority as an identified vulnerability in the Town of Bourne. The emergency access ramps at Sagamore and Standish Roads provide access to over a mile and a half of shoreline to maintenance personnel and emergency responders. The reconstruction of this ramp will guarantee a lengthened useful life of 20-30 years.

*Community Need: Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?*

The needs of Sagamore Beach pertain primarily to the eroding beach and coastal bluff. Access to this area is crucial for future ecological restoration projects within Bourne's coastal resiliency planning efforts underway. The LCP section of "Coastal Resiliency" is directly addressed by this project and sections like "Ocean Resources", "Recreation", "Economy", and "Infrastructure" are all connected by this project.

*Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.*

Although there isn't direct support via letters or petitions, Town staff has worked closely during planning efforts via the Hazard Mitigation Plan (HMP), SNEP technical assistance, and Municipal Vulnerability Plan (MVP) workshops where erosion and sea level rise were discussed at length. In both the MVP and HMP the project needs are discussed.

*Timeline: What is the schedule for project implementation, including a timeline for all critical milestones?*



Design and permitting will be finalized prior to ATM 2023. Due to the summer beach season, bid and construction awards will be issued in September with an October to Thanksgiving construction schedule. Substantial completion by December 1, 2023 is realistic.

*Credentials: How will the experience of the applicant contribute to the success of this project?*

The Engineering Department has overseen drainage and access projects on this particular shoreline as recently as 2018 at Crab Rock Way. Erosion and planting issues were lessons learned and the applicant can improve on this past experience. Engineering and DNR also manages dredge projects each year that involve learned coastal project management skills. Also, design funding will provide technical assistance by design engineer, BSC Group, for inspections and as-builts through the end of the project.

*Success Factors: How will the success of this project be measures? Be as specific as possible.*

First, coming under budget is important and is a moving target in the climate of the current economy. The increase in stormwater capacity will protect the access ramp from pluvial flooding from rainwater leaving the property. The ramp will become reinforced and lengthen its lifespan. Currently the DPW rebuilds this sand and rubble ramp on a yearly and as needed basis. Not rebuilding it in the immediate years following its construction is a primary measurable. The reliability of the design function is first and foremost.

*Budget: What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies.*

*(NOTE: CPA funds may NOT be used for maintenance.)*

The total budget for this project is \$150,000. Approximately \$110,000 for physical work, \$11,000 for hard contingency, \$16,000 for mobilization, and \$13,000 contingency in the bid process. CPA funds will be spent on the heels of design funds being paid for by the Coastal Resiliency Infrastructure Fund.

Costs have been examined with estimates used from recent Town and BSC Group projects as well as MassDOT. The hard costs are tight and we have confidence that those costs can remain steady within the next 10 months before project completion. We requested a 10% contingency for the hard costs. We are requesting more flexibility in the soft costs as contractors are operating in an unsteady economic climate. Our 15% contingency for that reflects this. Although we believe this project can come under budget we are aware of the volatility and need to plan for the worst case scenarios.

*Other Funding: What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?*

*Maintenance: If ongoing maintenance is required for your project, how will it be funded?*

Coastal Zone Management (CZM) and Municipal Vulnerability Plan (MVP) grants are being considered for this. Unfortunately Sagamore Beach does not have a commercial component and is not located within an underserved community according to State and Federal metrics. Fortunately the Sagamore Beach coastline was a high priority in the Bourne MVP plan. Erosion and sea level rise are major concerns of the community and this project either addresses that or will open the door for further work.

Maintenance will not be an issue or change much from current operations. In fact, yearly maintenance of the earthen ramp will no longer be required. Stormwater infrastructure changes are negligible.

Thank you for your consideration,

Timothy Lydon, SIT, CFM  
Engineering Department

Christopher Southwood, Director  
Department of Natural Resources

## APPLICATION FOR COMMUNITY PRESERVATION FUNDING (continued)

**ADDITIONAL INFORMATION:** Provide the following additional information, as applicable.

1. Documentation that you have control over the site, such as Purchase and Sale Agreement, option, or deed.
2. For projects that include construction or rehabilitation, include the existing and proposed site plan, floor plans, elevations, and any other drawings as necessary to visually describe the proposal.
3. Evidence that the project is in compliance with the Zoning Bylaw, or any other laws or regulations. Or, if zoning relief was required, specify what relief was needed and when an application was approved and relief granted by the town Zoning Board f Appeals.
4. Evidence that the appropriate Town Boards and Commissions have approved the project (for example, proposed new uses on Parks & Recreation land requires approval from the Town Recreation Committee)
5. Evidence that the proposed site is free of hazardous materials or that there is a plan for remediation in place.
6. Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed.
7. Information indicating how this project can be used to achieve additional community benefits.
8. Evidence that the applicant organization has adequate administrative and oversight capability to complete the work.
9. Evidence that the applicant organization certifies, under the penalties of perjury, to the best of his/her knowledge that:
  - The applicant has filed all State (Commonwealth of Massachusetts) tax returns and paid all State and Town taxes under law.
  - Under the provisions of Chapter 701 of the Acts of 1983, the applicant's application is in all respect bona fide, fair and made without collusion or fraud with any other person. As used in this section, the word "person" shall mean any natural person, joint venture, partnership, corporation, union, committee, club or other business or legal entity.
  - The applicant has not engaged in any unlawful discrimination based upon race, color, religious creed, national origin, sex, sexual orientation or veteran status and has complied with Town of Bourne affirmative action policies and practices with respect to their application.

NOTE: If the requested funds are for a real estate acquisition, an independent appraisal will be required which the applicant will be required to fund initially. No funding decisions will be made without an independent appraisal. Contact the Town's Open Space committee to arrange for an independent appraisal.

①

## ORDER OF TAKING

WHEREAS at the annual town meeting of the Town of Bourne duly called and warned for the purpose, held on the eighth day of February, 1954, the town did authorize the Selectmen of said Town by unanimous vote to acquire by purchase or to take by eminent domain two parcels of land in that part of said Town known as Sagamore, and did make an appropriation of money for the purpose of said purchase or taking, and did make provision for raising the same, and

WHEREAS all of the other preliminary requirements prescribed by law have been complied with, it is

ORDERED that there be and there hereby is taken by eminent domain on behalf of the Town of Bourne one parcel of land in said Town bounded and described as follows:

a parcel of land in that part of said Town known as Sagamore and bounded North-Easterly by the Strand at Sagamore Beach ninety-three and eleven hundredths (93.11) feet South-Easterly by Lot No. 115 on a plan entitled "Plan of Land of Sagamore Beach Company, Sagamore, Mass. 1904, H.T. Howard and Channing Howard, Civil Engineers, recorded in Barnstable County Registry of Deeds, fifty-two and fifty-three hundredths (52.53) feet: Southerly by lot 116 on said plan fifty-two and fifty-three hundredths (52.53) feet; Westerly by Samoset Road as on said plan ninety three and eleven hundredths (93.11) feet Northerly by an arc at the intersection of said Samoset Road and said Strand-way, twenty-two and eighty-five hundredths feet, containing 6140 square feet, constituting Lot 114 on said plan.

-2-

The interest taken in said land is the fee simple but subject to the restriction for the benefit of the other lots shown on said plan, that the lots taken shall never be used for commercial purposes and that no structures shall be erected thereon which shall obstruct the view of the sea from said other lots. The purpose for which said land is taken is to provide a public parking place.

The structures, if any, affixed to the land and the trees (if any) thereon are not included in the taking and the owners are allowed twenty days after the date of this order to remove the same.

The damages awarded for said taking are \$100.00 to be paid to the person demonstrating ownership of said parcel.

Witness the hands and seals of the Selectmen and the seal of said Town of Bourne this 17th day of November

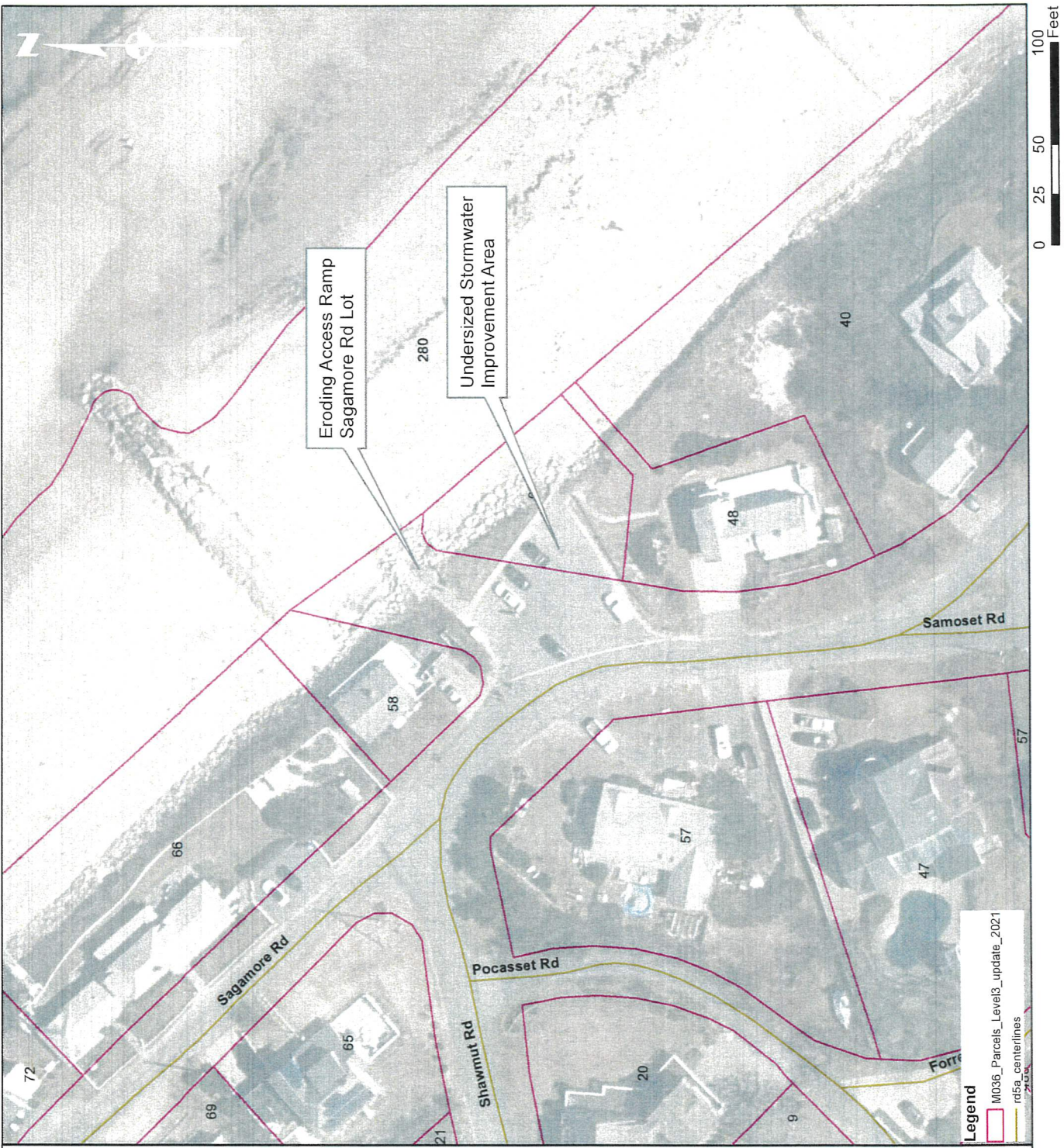
1954

Philip T. Langford  
William R. Kemp

Augustus J. Wagner  
Selectmen of the Town of Bourne

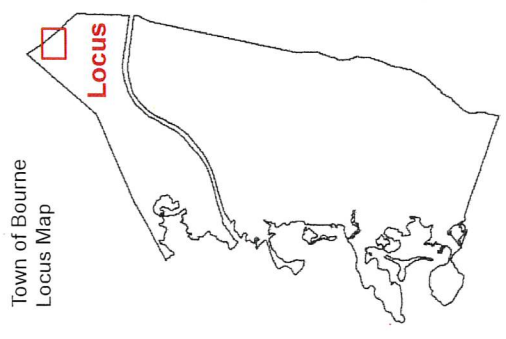






**Project:**  
Town Parking Lot  
Eroding Access Ramp  
And Stormwater Improvements  
Sagamore Road  
Sagamore Beach  
CPA Application Jan 2023

**Departments:**  
Engineering  
Natural Resources



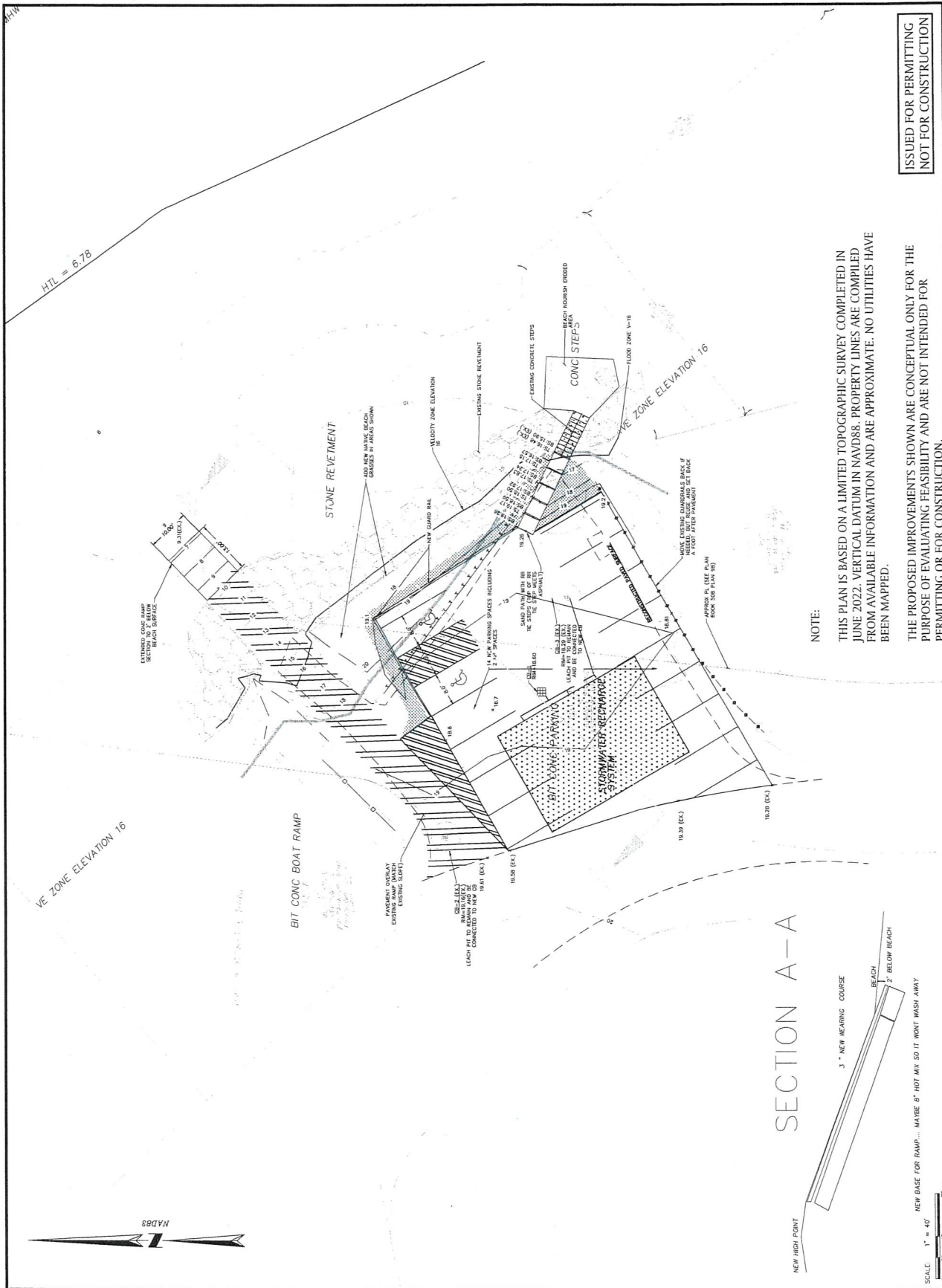
TPL



CONCEPTUAL  
SITE PLAN  
SITE #1  
58 SAGAMORE ROAD  
IN  
BOURNE  
MASSACHUSETTS  
(BARNSTABLE COUNTY)  
BEACH ACCESS PLAN  
SITE DESIGN  
DECEMBER 1ST, 2022

REVISIONS  
NO. DATE DESC.

PREPARED FOR  
TOWN OF BOURNE  
349 Main Street - Route 28  
West Yarmouth, Massachusetts  
01973  
BSC GROUP  
349 Main Street - Route 28  
West Yarmouth, Massachusetts  
01973  
508.776.8919  
2022 BSC Group, Inc.  
SCALE: 1" = 10'  
0 10 20 30  
FEET  
PROJECT: 2022-001  
SHEET: 1 OF 1



ISSUED FOR PERMITTING  
NOT FOR CONSTRUCTION

## ESTIMATED COSTS FOR SITE 1 (SAGAMORE)

ESTIMATED COSTS FOR SITE 1 (SAGAMORE)						
ITEM	ITEM NUMBER (Our/MassDot)	UNITS	QUANTITY	UNIT COST	ITEM COST	TOTAL
Site Pre/Demo	1					
	1a	EA	1	\$3,000.00	\$3,000.00	
	697	LF	0	\$10.00	\$0.00	
	697.1	EA	2	\$190.00	\$380.00	
	1b	CY	0	\$20.00	\$0.00	
	120	CY	100	\$12.00	\$1,200.00	
	983.3	SF	0	\$100.00	\$0.00	
	129.2	SY	362	\$15.00	\$5,430.00	
		SY	362	\$12.00	\$4,344.00	
		EA	2	\$1,000.00	\$2,000.00	
Remove Bituminous Pavement (Boat Ramp)	1c	EA	2	\$50.00	\$0.00	
Site Improvements	2	SY	556	\$20.00	\$11,111.11	
	2a	SY	556	\$40.00	\$22,222.22	
	2b	LF	0	\$150.00	\$0.00	
	2c	SY	0	\$80.00	\$0.00	
	504	LF	80	\$20.00	\$1,600.00	
	504.1	LF	0	\$20.00	\$0.00	
	129.2	SY	133	\$35.00	\$4,666.67	
	2d	EA	0	\$25,920.00	\$0.00	
	2e	EA	0	\$16,770.00	\$0.00	
	2f	EA	24	\$1,245.00	\$29,880.00	
RECHARGER CULTEC 330XLHD CHAMBER	201	EA	1	\$4,500.00	\$4,500.00	
	234.12	LF	60	\$75.00	\$4,500.00	
	2g	SY	200	\$30.00	\$6,000.00	
	707.1	EA	0	\$2,000.00	\$0.00	
		LF	300	\$2.50	\$750.00	
		EA	2	\$250.00	\$500.00	
	2j	SF	24	\$7.00	\$168.00	
	2k	EA	6	\$250.00	\$1,500.00	
		SY	0	\$95.00	\$0.00	
		LF	20	\$75.00	\$1,500.00	
SUBTOTAL		EA	1	\$2,000.00	\$2,000.00	\$107,252.00

MOBILIZATION AND DEMOBILIZATION		3	PROJECT MARKUPS	QUANTITY	UNIT %	TOTAL
	3a		Mobilization (3% of Total)	1	0.03	\$3,217.56
	3b		Demobilization (2% of total)	1	0.02	\$2,145.04
	3c		General Conditions (10% of Total)	1	0.1	\$10,725.20
	3d		Construction Contingency 10% of Total)	1	0.1	\$10,725.20
						<b>Total</b>
						<b>Section 3</b>
						<b>Total</b>
						<b>Section 1+2</b>
						<b>Total</b>

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. *(Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)*

- Yes 1) Does the project have other sources of funding? If so, indicate percentage.
- Yes 2) Does the project require urgent attention?
- No 3) Does the project serve a currently underserved population?
- Yes 4) Does the project preserve a threatened resource?
- Yes 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- Yes 6) Does the project fit within the current or already proposed zoning regulations?
- Yes 7) Does the project have a means of support for maintenance and upkeep?
- Yes 8) Does the project involve currently owned municipal assets?
- No 9) Does the project have two other sources of funding?
- No 10) Does the project have more than two other sources of funding?
- Yes 11) Does the project involve two core concerns of the CPA?
- Yes 12) Does the project involve all three-core concerns of the CPA?
- Yes 13) Does the project have community support?
- Yes 14) Does the project have sufficient supporting documentation?
- Yes 15) Does the project have support from another Board or Committee?
- Yes 16) Does the project provide a positive impact to the community?
- Yes 17) Does the project have the support of the majority of immediate abutter?

## Open Space Criteria for Parcel Selection

Check each line as it applies to the parcel of land under consideration.

- No 1) Is it within a delineated wellhead protection area (Zone I or Zone II)?
- No 2) Would it enhance protection of a Wellhead area?
- No 3) Is it within Bourne's water protection overlay system?
- Yes 4) Is wetland protection a consideration?
- No 5) Is vernal pool protection a consideration?
- No 6) Is stream and bank protection an issue?
- No 7) Is this an Area of Critical Environmental Concern?
- Yes 8) Is this project within the Natural Heritage Endangered Zone?
- Yes 9) Would this proposal contribute to a Greenway?
- No 10) Would this proposal contribute to forested land?
- Yes 11) Would this proposal enhance protection of any FEMA designated floodway?
- Yes 12) Will this purchase protect other parcels?
- Yes 13) Does this parcel abut protected land?
- Yes 14) Does this parcel support a significant wildlife habitat?
- No 15) Is this parcel at risk for development?
- No 16) Is this parcel listed for sale?
- No 17) Did this parcel have a past proposal for development?
- Yes, No 18) Are grants available? If so, has application been made?
- Yes 19) Is there a historic significance to this parcel?
- No 20) Are there any old foundations located in this parcel?
- Yes 21) Are stone walls located within this parcel?



## **Open Space Criteria for Parcel Selection (continued)**

Yes 22) Does this parcel house any old roads, trails, cart paths, or scenic vistas?

No 23) Are there any active or passive recreation possibilities associated with this parcel?

No 24) Is this parcel suitable for a community garden or farm?

Yes 25) Is this parcel suitable for nature observation and educational programs?

## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee

Town of Bourne

24 Perry Avenue

Buzzards Bay, MA 02532

Name of Applicant Jordan Geist, Bourne Public Schools

Name of Co-Applicant, if applicable \_\_\_\_\_

Contact Name Jordan Geist

Mailing Address 36 Sandwich Road

City Bourne

State MA

Zip 02532

Daytime Phone 508-759-0660

Email jgeist@bourneps.org

Name of Proposal Restoration of Walkway in Swamp

Address of Proposal Bourne Conversation Trust 33 Waterhouse Road

Assessors Map see attached plat Parcel \_\_\_\_\_

CPA Category (circle all that apply): Open Space Historic Preservation Recreation Community Housing

CPA Funding Requested \$ 40,000

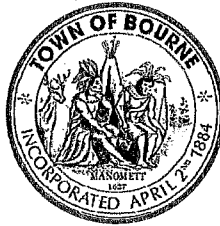
Total Cost of Proposed Project \$ 40,000

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?
- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.
- **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?
- **Credentials:** How will the experience of the applicant contribute to the success of this project?
- **Success Factors:** How will the success of this project be measured? Be as specific as possible.
- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)
- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?
- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

# Bourne Public Schools

36 Sandwich Road  
Bourne, MA 02532  
508.759.0660  
508.759.0667 (fax)  
[www.bourneps.org](http://www.bourneps.org)



Jordan Geist  
Director of Business Services  
[jgeist@bourneps.org](mailto:jgeist@bourneps.org)

Katie Russo, Payroll/Accounts Payable Lead  
Susan Meikle, Grants Analyst

To: CPC Committee  
From: Jordan Geist, Director of Business Services  
Re: Jackson Field Bleacher Feasibility Project Description

Dear Committee Members,

Thank you for the opportunity to apply for CPC funding to support the rebuilding of the boardwalk at the Red Cedar swamp across from the entrance to the school campus at 33 Waterhouse Road. This land is owned by the Bourne Conversation Trust which gave its approval for the original boardwalk in 1991. The original permit and plans are attached for your review.

The goal of this project is to replace the boardwalk that runs through the swamp as it has fallen into disrepair. This project would allow access to a beautiful wetlands ecosystem that is teeming with life. It is a serene location that would benefit numerous activities like painting, photography, writing and education. I have met with Mr. Robert Gray and Stephanie Fitch of the Conversation Committee at the sight and they were both supportive of the project and located the original permit and plans. Ms. Fitch advised that I would need to file a new Notice of Intent and generously offered to help the district navigate the permitting process. If funded I would expect that the work would be completed over the Summer. The success of this project will be measured by the boardwalk being completed.

The requested amount is a placeholder amount. As the original plans are in hand I am hopeful that the design can just be brought up to code at minimal cost. I have not yet attempted to get a quote to remove the original structure and rebuild it in the same footprint. Maintenance of the area will be covered by the School Department.

Respectfully,

Jordan Geist

RECEIVED  
2023 JAN 26 PM 4:03  
TOWN CLERK BOURNE

## Category Specific Criteria

**Open Space** proposals which address as many of the following specific criteria as possible will receive preference:

- Permanently protect important wildlife habitat, including areas that
  - Are of local significance for biodiversity;
  - Contain a variety of habitats, with a diversity of geologic features and types of vegetation;
  - Contain a habitat type that is in danger of vanishing from Bourne; or
  - Preserve habitat for threatened or endangered species of plants or animals.
- Preserve Bourne's rural and seaside character.
- Provide opportunities for passive recreation and environmental education.
- Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
- Provide connections with existing trails or potential trail linkages.
- Preserve scenic views.
- Border a scenic road.
- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones.
- Preserve a primary or secondary priority parcel in the Open Space Plan.

**Historical** proposals which address as many of the following criteria as possible will receive preference:

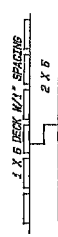
- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
- Project is within a Bourne Historic District, on a State or National Historic Register, or eligible for placement on such registers, or on the Bourne Historic Properties Survey;
- Project demonstrates a public benefit; or demonstrates the ability to provide permanent protection for maintaining the historic resource.

# GENERAL NOTES:

1. PERIMETER TAKEN FROM FIELD MEASUREMENTS. MUST BE PLANNED AND CONFORM TO SCALE 1" = 40'.
2. MET AND PLANNED BY L.S.M. OF M.H. WARD & ASSOC., INC. APPROVED BY ROBERT GRAY 2/21/91.
3. TOP OF THE TRANSIT STATION METHOD BASED ON DATA FROM THE TOWN OF BOURNE TOPOGRAPHIC PLANS.
4. USE FOR WETLAND STUDY BY BOURNE HIGH SCHOOL STUDENTS.
5. ALL POSTS AND LINES SHALL BE TREATED WITH "ALUMINUM" SALT OR EQUIV.
6. ALL STRUCTURES SHALL BE CONSIDERED IN COMPLIANCE WITH ALL STATE AND LOCAL BUILDING CODE REQUIREMENTS.
7. ROAD SIZE DIMENSIONS ARE NOMINAL.
8. ALL DOTS, LINES, DIMENSIONS, NOTES, SYMBOLS, CORNER SYMBOLS, AND ALL DIMENSIONS SHALL BE SALVAGED.
9. STRUCTURAL STOKES SHALL BE 204.
10. LOTS 13 P.D. PARCEL 75 ON ASSESSORS MAP 24.

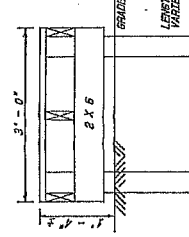


LOCUS MAP  
SCALE 1" = 2000'

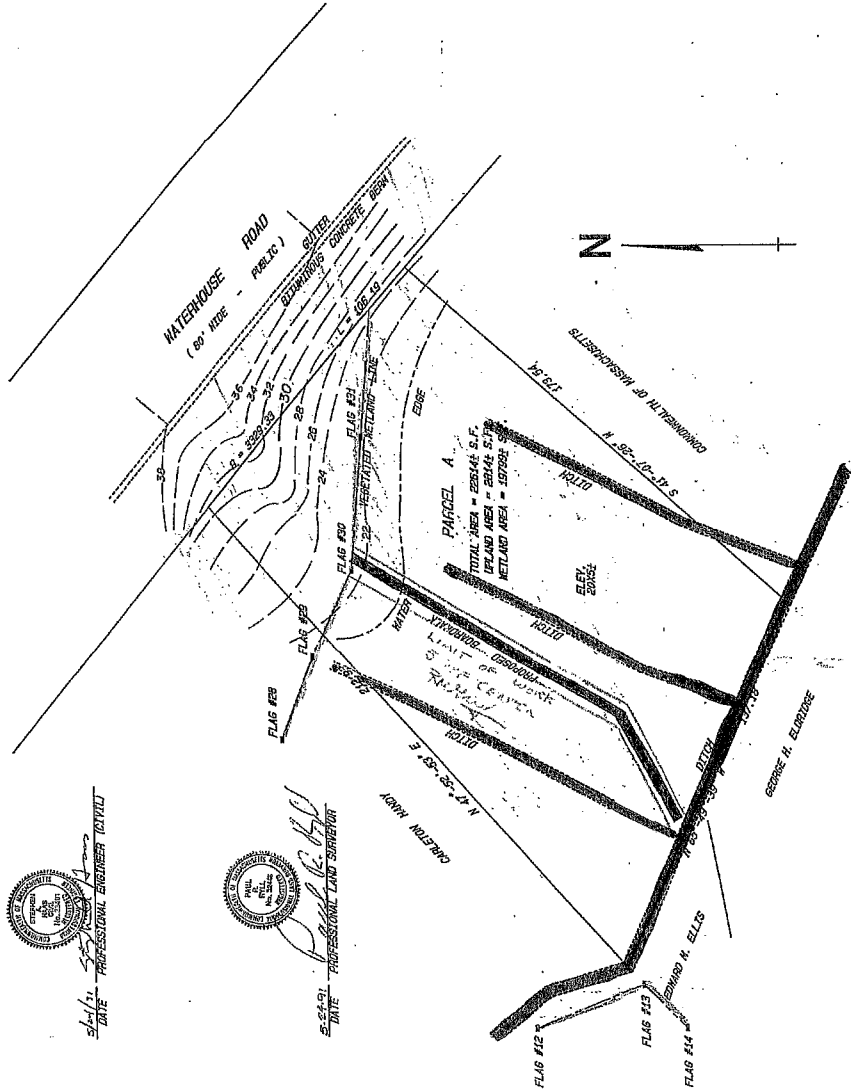


BOARDWALK DETAIL  
SCALE 1" = 1'-0"

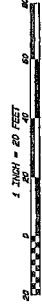
SIDE VIEW



CROSS-SECTION



SITE PLAN  
SCALE 1" = 20'



PROPOSED BOARDWALK AT  
BROAD SWAMP WETLAND SCIENCE CENTER  
BOURNE HIGH SCHOOL  
WATERHOUSE ROAD, BOURNE, MA  
SCALE: AS SHOWN MAY 22, 1991  
EAGLE SURVEYING AND ENGINEERING, INC.  
441 ROUTE 130, SANDWICH, MA

Document B

DATE: 5/1/91  
PROFESSIONAL ENGINEER (TYPED)

DATE: 5/1/91  
PROFESSIONAL LAND SURVEYOR



Commonwealth  
of Massachusetts

DEP File No.

SE7-782

(To be provided by DEP)

Bourne

City/Town

Applicant Town of Bourne  
Board of Selectmen

# Order of Conditions Massachusetts Wetlands Protection Act G.L. c. 131, §40

From Bourne Conservation Commission

To Town of Bourne

Mr. Carlton Handy

(Name of Applicant)  
Board of Selectmen

(Name of property owner)

Address 24 Perry Avenue  
Buzzards Bay, MA 02532Address POB 727  
Cataumet, MA 02534

This Order is issued and delivered as follows:

☒ by hand delivery to applicant or representative on 6-7-91 (date)☐ by certified mail, return receipt requested on (date)

This project is located at off Waterhouse Rd, Bourne (Broad Swamp)

The property is recorded at the Registry of Barnstable

Book Page

Certificate (if registered)

The Notice of Intent for this project was filed on May 27, 1990 (date)

Amended NOI 5/24/91

The public hearing was closed on June 4, 1991 (date)

**Findings**

The Conservation Commission has reviewed the above-referenced Notice of Intent and plans and has held a public hearing on the project. Based on the information available to the Commission at this time, the Commission has determined that the area on which the proposed work is to be done is significant to the following interests in accordance with the Presumptions of Significance set forth in the regulations for each Area Subject to Protection Under the Act (check as appropriate):

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Public water supply  | <input type="checkbox"/> Flood control           | <input type="checkbox"/> Land containing shellfish      |
| <input type="checkbox"/> Private water supply | <input type="checkbox"/> Storm damage prevention | <input type="checkbox"/> Fisheries                      |
| <input type="checkbox"/> Ground water supply  | <input type="checkbox"/> Prevention of pollution | <input type="checkbox"/> Protection of wildlife habitat |

Total Filing Fee Submitted Waived-Municipal Filing State Share

City/Town Share (1/2 fee in excess of \$25)

Total Refund Due \$ City/Town Portion \$ State Portion \$  
(1/2 total) (1/2 total)

Therefore, the Conservation Commission hereby finds that the following conditions are necessary, in accordance with the Performance Standards set forth in the regulations, to protect those interests checked above. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.

#### General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. This Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - (a) the work is a maintenance dredging project as provided for in the Act; or
  - (b) the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance and both that date and the special circumstances warranting the extended time period are set forth in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
7. No work shall be undertaken until all administrative appeal periods from this Order have elapsed or, if such an appeal has been filed, until all proceedings before the Department have been completed.
8. No work shall be undertaken until the Final Order has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is to be done. The recording information shall be submitted to the Commission on the form at the end of this Order prior to commencement of the work.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words, "Massachusetts Department of Environmental Quality Engineering,  
File Number SE7-782"
10. Where the Department of Environmental Quality Engineering is requested to make a determination and to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department.
11. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
12. The work shall conform to the following plans and special conditions:

## Plans:

Title	Dated	Signed and Stamped by:	On File with:
"Proposed Boardwalk at Board Swamp Wetland			Town of Bourne
Science Center Bourne High School Waterhouse			Conservation Commission
Road, Bourne, MA"	Dated May 22, 1991	by Eagle	24 Perry Avenue
Surveying and Engineering, Inc. Document "A"			Buzzards Bay, MA 02532
Stamped by Paul R Ryll #32448, P.E.S and Stephen			
A Haas, P.E. (Civil) #35461. 5/24/91.			

## Special Conditions (Use additional paper if necessary)

1. All work is to be done by hand, no machinery.
2. The pathway will not be constructed until a Management Plan is worked out with Bourne Conservation Trust and approved by the Town of Bourne Conservation Commission.

.....

(Leave Space Blank)

Applicant's Name Town of Bourne DEQE File Number SE7-782

In addition to General Conditions 1-12 the Commission has found it necessary to impose the following Special Conditions pursuant to Chap. 131, s. 40 and The Town of Bourne Natural Resources Protection Bylaw Article 3.7. PLEASE NOTE\*\*\*\* ONLY THE SPECIAL CONDITIONS AND BY-LAW CONDITIONS CHECKED BELOW AND THE ABOVE GENERAL CONDITIONS APPLY TO YOUR PROPOSAL.\*\*\*\*\*

SPECIAL CONDITIONS Pursuant to C. 131, s. 40. \*\*\*\*\*PLEASE NOTE THAT THE ABOVE LISTED GENERAL CONDITIONS ARE AUTOMATICALLY PART OF THIS ORDER OF CONDITIONS.

- ✓ 1) Upon completion of your project you must apply for a Certificate of Compliance. This Order will not be considered complied with until the Certificate of Compliance has been requested, granted and RECORDED at the Registry of Deeds in Barnstable.
- ✓ 2) Prior to the Issuance of a Certificate of Compliance the project Engineer or Consultant shall certify that the project has been completed in compliance with this Order and the original Plan of Record. Any variations from the approved plan should be clearly noted and reasons given to justify the noncompliance.
- ✓ 3) The project engineer and contractors (and all subcontractors) must be informed of the conditions of this Order. A copy of this Order of Conditions must be available at all times at the construction site for reference. The Applicant is held responsible for compliance with this Order of Conditions.
- 4) Prior to the installation of the subsurface sewage disposal system, you are advised of the necessity to comply with, or receive a variance from, the local Board of Health Regulations & Bylaws and obtain a valid health permit. The Order of Conditions re-emphasizes this requirement and PROHIBITS any construction prior to obtaining a Board of Health permit. A leaching facility must be 150' from any wetland resource area (including the top of the coastal bank) unless a variance has been granted by the Board of Health.
- 5) The Plan of Record shall be in full compliance with the Massachusetts Uniform Building Code 780 CMR 744.0, Federal Emergency Management Agency (FEMA) requirements and the Town of Bourne Lowland Regulations, section 3100, as they relate to construction within the 100 year Flood Plain--A & V Zones. Basically this means that only a 4' crawl space is permitted below the first floor living area. No utilities are permissible within this crawl space.
- 6) Gutters, downspouts and drywells must be installed to collect all roof runoff.

7) All Drainage must be directed into a leaching type catch basin before being discharged towards or into any wetland or surface water body. All catch basins must incorporate measures to insure the removal of pollutants such as oil and gas and must provide for adequate sediment retention. The basins and oil absorbent material shall be regularly cleaned & maintained.

8) Wherever erosion control measures are indicated on the plan, they shall consist of a least a double row of staked hay bales and these must be maintained throughout the construction period. It is the applicant's responsibility to take additional appropriate measures to control sedimentation/erosion into the wetland areas.

9) The Applicant must employ and maintain suitable erosion control measures such as staked hay bales, siltation curtains, bark mulch, jute netting, etc. as shown on the Plan of Record and/or addressed in the Notice of Intent. This siltation control shall be maintained until all disturbed areas are successfully revegetated.

10) Use of heavy equipment shall be confined to inside the limit of work as shown on the Plan of Record. All work shall be accomplished from the UPLAND side of the Limit of Work line.

11) The use of heavy equipment upon the saltmarsh, dunes or coastal beach is PROHIBITED. All work within these resource areas must be done by hand or with suitable equipment approved by the Commission.

✓ 12) The landowner and/or his contractor will notify the Commission in writing 5 days prior to the start of work. The letter shall state the name, address, telephone number (business & home phone) of the project supervisor who will be responsible for insuring on-site compliance with this Order. All sedimentation control shall be installed BEFORE the start of work.

13) NO WORK SHALL BEGIN until General Condition #8 has been complied with. The Commission must be in receipt of the Registry information certificate BEFORE work begins. An Enforcement Order will be issued if work is prematurely begun without compliance with this condition.

14) Since the building was or is to be constructed after August 10, 1978 and is or will be within 100' of the top of an eroding coastal bank (310 CMR 10.30), this Order and the Certificate of Compliance incorporate 310 CMR 10.30 (5) which states: "no coastal engineering structure, such as a bulkhead, revetment, or seawall shall be permitted on an eroding bank at any time in the future to protect the project allowed by this Order of Conditions."

15) Only rubber tired or tracked vehicles utilizing swamp mats/planks will be permitted to traverse the following resource areas: beaches, dunes, and saltmarshes.



✓ 16) Any refuse material generated through the project construction will be removed to an approved landfill, and in no case will these materials be allowed to be buried or disposed of on site or on abutting property. THIS MUST BE DONE WEEKLY DURING THE CONSTRUCTION PHASE OF THE PROJECT. REFUSE MUST NOT BE ALLOWED TO ENTER ANY WETLAND AREAS.

✓ 17) ANY CHANGES MADE OR INTENDED TO BE MADE IN THE PLANS, SHALL REQUIRE THE APPLICANT TO FILE A NEW NOTICE OF INTENT, OR TO INQUIRE OF THE COMMISSION IN WRITING WHETHER THE CHANGE IS SUBSTANTIAL ENOUGH TO REQUIRE A NEW FILING. FAILURE TO COMPLY WITH THIS CONDITION WILL RESULT IN THE ORDER OF CONDITIONS (PERMIT) BEING REVOKED.

18) An as-built plan, signed and stamped by a registered professional engineer or land surveyor in the Commonwealth of Massachusetts, shall be submitted to the Commission at the same time as a written request for a Certificate of Compliance and shall specify how the completed plan differs from that shown on the plans referred to in the Order of Conditions. The as-built plan shall include, but not be limited to the following:

All pipe/culvert inverts for inflow and outfalls, pipe slope, size and composition; location of other drainage structures; limits of fill or alteration; location of any structure and pavement within 100' of any wetland resource area (including the top of the coastal bank); the edge of each wetland resource area; the grade contours within 100' of the wetland resource areas.

✓ 19) The applicant as a condition of this Order grants to the Commission members and agents of the Bourne Conservation Commission the right to enter, inspect and sample the premises to evaluate compliance with the conditions and performance standards stated in this Order, the Act, and 310 CMR 10.00 and the Town of Bourne Wetlands Protection By-law, Article 3.7, and may require the submittal of any data deemed necessary by the Commission for that evaluation.

20) The applicant, owner, successors or assignees shall be responsible for maintaining all on-site drainage structures and outfalls, assuring the lasting integrity of vegetative cover on the site and site activities so as to prevent erosion, siltation, sedimentation, chemical contamination or other detrimental impact to the on-site wetland resource area(s) and/or off-site wetland resource area(s). The maintenance activities specified in this Order shall not expire with the issuance of the Certificate of Compliance. It is the responsibility of the property owner of record to see that maintenance conditions are complied with as required by this Order.

21) This document shall be included in all construction contracts and subcontracts dealing with the work proposed and shall supersede other contract requirements.

22) Used petroleum products from the operation or maintenance of construction equipment and construction debris shall be collected weekly and disposed of off-site at an approved landfill. No on-site disposal is permitted.

23) No underground petroleum product storage tanks are allowed within 100' of any wetland or within any velocity (V) floodzone as indicated on the most recent FEMA floodzone maps.

✓24) This Order of Conditions shall apply to any successor in interest or successor in control of the property.

25) The proposed stairs shall be elevated \_\_\_\_\_ feet above the existing grade. All pilings should be supported by SONO tube footings. Excavated materials shall be removed from the coastal bank.

\*\*\*\*\* (Docks, Piers, Floats, etc.) \*\*\*\*\*

26) Post dredging soundings shall be made by the project engineer and submitted to the Con-Com for review.

27) The structure shall be continuously maintained in a manner that will insure safe use and shall be subject to inspection by the Harbormaster at anytime.

28) The public shall not be hindered from free access over or under the proposed structure for the purposes of fishing or fowling between the tide lines.

29) The structure shall be subject to annual review and approval by the Harbormaster in accordance with MGL Chapter 91, Section 10A and/or current Town of Bourne Waterways Regulations.

30) No ramps, floats or other parts of the proposed structure are to be stored upon the saltmarsh, coastal dune, coastal bank or any other wetland resource area except the floodzone. All floats and other seasonal structures must be removed from the waterways from October 15 to April 1 st. and stored in a suitable UPLAND AREA.

31) Any changes in the configuration of the proposed structure would require an additional filing with the Commission and/or approval of the Harbormaster.

32) Any shellfish that must be relocated as a result of the proposed construction will be done at the applicant's expense and under the direction of the Department of Natural Resources (Shellfish Warden).

33) Should the proposed float(s) and/or other parts of the proposed structure break loose it will be the responsibility of the applicant to recover same and repair any damage to property of other parties that occurred due to the loose structure.

34) If it should be determined at a later date that this structure is an interference to navigation the applicant will be required to down size the structure accordingly under the direction of the Harbormaster.

35) Piles must be driven, not jetted into the substrate.

36) Only CCA treated lumber/piles or galvanized steel piles will be permitted for use on structures that will be placed into the water. No creosote is allowed.

37) Deck spacing must be spaced at least 3/4" apart to allow for light penetration to the vegetation below the decking.

SPECIAL CONDITIONS pursuant to the Town of Bourne Natural Resources Protection By-Law Article

3.7.\*\*\*\*\*

All General and Special Conditions listed above are also issued under Article 3.7 as well as the following special BY-LAW CONDITIONS:

- 1) The total lawn area for this lot shall not exceed s.f.. Lawn fertilizer is a known source of nitrogen loading which causes pollution of coastal waters.
- 2) This Order of Conditions is not effective until the applicant has filed with and received permission from the Bourne Planning Board to perform the proposed work, which is subject to the Scenic Roads Act, M.G.L. C.40, s.15C.
- 3) This Order of Conditions is not effective until the applicant has filed with and received permission from the Tree Warden to perform the intended work, which is subject to the Public Shade Tree Act, M.G.L. C. 87, s.1.
- 4) All new habitable buildings and accessories thereto, shall be setback at least fifty (50) feet from any wetland resource area as per Article 4.7 Town of Bourne By-Laws or give proof that a variance from this provision has been granted.
- 5) A minimum distance of \_\_\_\_\_ feet of natural vegetation (buffer zone) must be maintained between any wetland resource area and altered area.
- 6) No clear-cutting of standing trees and surface vegetation is allowed. Only vista pruning as approved by the Commission will be permitted. Low brush surface vegetation may be topped to a minimum height of 3'.
- ☒ 7) All excavation will immediately halt if any historical or archeological artifacts are uncovered and the Applicant will report this information immediately to the Commission, the Town of Bourne Historical Commission and the Massachusetts Historical Commission. Failure to report this information will be grounds to revoke this permit.

General Conditions number(s) \_\_\_\_\_ and Special Conditions number(s) 19, 24 and By-Law Conditions \_\_\_\_\_ above shall continue in perpetuity beyond the limitations of this Order and with the sale of this property to others.

The Applicant is reminded of his/her right to Appeal this Order or any part herein. This Appeal must be a dual Appeal to both DEQE and to the Court.

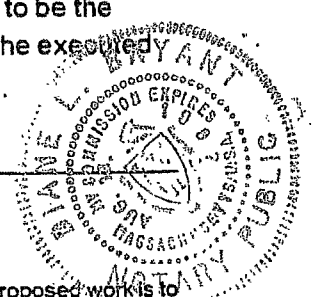
Issued By Bourne Conservation Commission

Signature(s) Cynthia J. Smith  
[Signature]  
RM Gray  
[Signature]

This Order must be signed by a majority of the Conservation Commission.

On this 4th day of June 1991, before me personally appeared Cynthia J. Smith, Chairperson, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

Wesley L. Bryant Aug 15, 1997  
 Notary Public My commission expires



The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land upon which the proposed work is to be done or any ten residents of the city or town in which such land is located are hereby notified of their right to request the Department of Environmental Quality Engineering to issue a Superseding Order, providing the request is made by certified mail or hand delivery to the Department within ten days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.

RECORDED JUN 17 91

Detach on dotted line and submit to the \_\_\_\_\_ prior to commencement of work.

To \_\_\_\_\_ Issuing Authority

Please be advised that the Order of Conditions for the project at \_\_\_\_\_

File Number \_\_\_\_\_ has been recorded at the Registry of \_\_\_\_\_ and

has been noted in the chain of title of the affected property in accordance with General Condition B on \_\_\_\_\_, 19\_\_\_\_

If recorded land, the instrument number which identifies this transaction is \_\_\_\_\_

If registered land, the document number which identifies this transaction is \_\_\_\_\_

Signature \_\_\_\_\_ Applicant



# Wetlands study center plan advances

By GWENN FRISS  
STAFF WRITER

BOURNE — Robert Gray's honors biology students got a lesson in civics this week when, before a town board, they had to address the worries of a woman who owns land next to their proposed wetlands study center.

"We explained that the land is privately owned by the Bourne Conservation Trust and they would have a means to enforce the no-trespassing," said Kristen Jensen, 15, a sophomore at Bourne High School. "And really, this is not the kind of place one would want to frequent for anything but scientific study because it's a mosquito-infested swamp."

After addressing the trespassing concern, the class also got what it has been seeking for two years: The Bourne Conservation Commission's permission to build a 155-foot boardwalk into the

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The Broad Swamp Center for Wetland Studies would be built on a half-acre of land donated by Carlton Handy to the Bourne Conservation Trust.

---

swamp across from Bourne High School.

"The boardwalk will be accessible from Waterhouse Road. We hope to set up the wetland science center there so we can actually have that as part of the high school and primary school curriculum," Gray said.

The Broad Swamp Center for Wetland Studies would be built on a half-acre of land donated by Carlton Handy to the Bourne Conservation Trust. The 3-foot-wide boardwalk will be 16 inches above the wetlands surface, Gray said, allowing visitors access into the red maple swamp while protecting the

thick wet woods from being trampled.

Gray envisions an array of classes using the center, from biology students studying how spotted salamanders breed, to English students seeking nature's inspiration. The center may also open to the public during certain hours, he said.

With hand-drawn plans, last year's honors biology class sought conservation commission approval for the walk. Asking for more information, the commission continued the request to November and then again to this week. The project passed to this year's class.

During Tuesday's meeting at the high school, students presented an estimated \$1,500 worth of survey and design work donated by the Eagle Survey and Engineering Co. of Sandwich.

The conservation commission unanimously approved the plan, Gray said, contingent upon the class drafting a management plan to ensure the center is not over-used and that private land surrounding it is protected.

In addition to working out a management plan with the Bourne Conservation Trust, next year's class will face the challenge of raising money for materials and donated labor.

Gray said he is not sure how much it will cost or when construction will begin. But he is hoping that one day the project will get more donated land, as much as 2 or 3 acres along Waterhouse Road, to expand.

## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Name of Applicant: **Bourne Recycling Committee**

Name of Co-Applicant, if applicable: **Bourne Department of Public Works**

Contact Name: Shawn Patterson, DPW Heather DiPaolo, Recycling Committee

Mailing Address: 35 Ernest Valeri Road City: Buzzards Bay State: MA  
Zip: 02532

Daytime Phone: 508-759-0600 x3225

Email: [SPatterson@TownofBourne.com](mailto:SPatterson@TownofBourne.com) (Shawn)  
[CapeCodBaby@Comcast.net](mailto:CapeCodBaby@Comcast.net) (Heather)

Name of Proposal: **Water Bottle Refill Stations**

Address of Proposal: Bourne Soccer Fields, Bourne Middle School playground, Monument Beach Marina, Clark Field

Assessors Map and Parcel to be determined.

CPA Category (circle all that apply): Open Space Historic Preservation  
**Recreation** Community Housing

CPA Funding Requested \$30,000 Total Cost of Proposed Project \$35,000

RECEIVED  
2023 JAN 26 PM 2:25  
TOWN CLERK BOURNE

**Project Description:**

**Goals:** The Water Bottle Refill Stations will provide hydration to recreation users while reducing the number of single-use plastic water bottles.

**Community need:** With more visitors and residents using the town parks and beaches, an expanded number of Water Bottle Refill Stations will help to provide the needs of this population. Additionally, there is a proliferation of water bottles at sporting events on local fields that are not recycled. These refilling stations will reduce this waste that is hard to recycle.

**Community Support:** The Bourne Recycling Committee fully supports this project. The Conservation Department and Recreation Department, both support this project. The Conservation Committee and Recreation Committee will be voting to support this project at their next meetings. Letters of support will be supplied as received. The Bourne School District fully supports this project. The North Sagamore Water District Committee voted to support the project at their January 25<sup>th</sup>, 2023 meeting.

**Timeline:** If this application is approved, there is a 4-6 week lead time for the units to arrive following fund availability. Construction will include the installation of concrete pads for the Water Bottle Refill Stations and water line installation. Following that, it is estimated that each unit could take three days to install with a connection to the town water line.

**Credentials:** Both the Department of Public Works, and each Bourne Water District has well qualified staff to successfully complete this project.

**Success Factors:** The Bourne Recycling Committee feels that this project's true success will be the limited number of single use plastic water bottles that pollute our rivers and public waterways and reduce the use of space at the landfill. Success may be quantified in the water usage indicating how many disposable water bottles were not consumed by users. Example: if 1,000 gallons are consumed, or the equivalent of 8,000 16-ounce disposable bottles, how many 16-ounce one-time use water bottles have not been used? The plastic reduction from the reusable water bottles adds up quickly over a short period of time.

**Obstacle to Success:** The Water Districts are investigating the installation and reviewing liability to the quality of the water at the dispensing point.

This review will be complete in several weeks from our submission. We will elaborate verbally at the Committee presentation.

**Budget:**

We are asking for \$30,000 in CPA funds to be used to purchase four units, four seasonal covers and concrete, and associated water line installations or attachments.

Unit Purchase, 4 Units, Winter Covers	\$17,000
---------------------------------------	----------

Installation:

Clark Field, North Sagamore

North Sagamore Water District. The District Commissioners voted on January 25, 2023 to support the installation, pending final review of the liability for the water quality at the dispensing site.

Materials including water lines, to town parcel property line	\$5,000
---	---------

Water line installation to Dispenser Location, Clark Field:  
We've requested in-kind services from Bourne DPW.

Materials, concrete base	\$ 500
--------------------------	--------

Materials, water line to dispenser	\$2,500
------------------------------------	---------

Monument Beach Marina

Bourne Water District. The District Commissioners have not voted on the installation of the water dispensers. Their next meeting is not until February when we will appear before the Board.

Materials including water lines, to town parcel property line	\$1,500
---	---------

Water line installation to Dispenser Location, Marina:  
We've requested in-kind services from Bourne DPW.

Materials, concrete base	\$ 500
--------------------------	--------



Schools - Soccer Field and Middle School Playground:

Installation of concrete bases, water lines are proposed to be in-kind services by the School Department and DPW.

This was previously planned to be included in the construction of the playground, but due to the coronavirus pandemic the project was put on hold.

Contingency	\$3,000
Total	\$30,000

**Other Funding:** The Bourne School District has agreed to assume the cost of water usage at two of the units located on school property. We are working with the Recreation Department and Department of Natural Resources for additional funding.

**Maintenance:** The Bourne DPW has agreed to assume responsibility for maintaining the units. (i.e.: seasonal water shut off and on, winter cover install and removal in the spring)



### **General Selection Rating Criteria**

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. (Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)

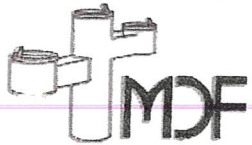
- N 1) Does the project have other sources of funding? If so, indicate percentage.
- N 2) Does the project require urgent attention?
- Y 3) Does the project serve a currently underserved population?
- Y 4) Does the project preserve a threatened resource?
- Y 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- Y 6) Does the project fit within the current or already proposed zoning regulations?
- Y 7) Does the project have a means of support for maintenance and upkeep?
- Y 8) Does the project involve currently owned municipal assets?
- N 9) Does the project have two other sources of funding?
- N 10) Does the project have more than two other sources of funding?
- Y 11) Does the project involve two core concerns of the CPA?
- N 12) Does the project involve all three-core concerns of the CPA?
- Y 13) Does the project have community support?
- Y 14) Does the project have sufficient supporting documentation?
- Y 15) Does the project have support from another Board or Committee?
- Y 16) Does the project provide a positive impact to the community?
- Y 17) Does the project have the support of the majority of immediate abutter?

## Recreation Criteria for Rating CPC Proposals

Check each line as it applies:

- Y 1) Will the project be used by more than one age group?
- Y 2) Can the project be used by more than one activity (multiuse)?
- Y 3) Does the project require maintenance costs of less than \$1000 per year?
- N 4) Does the project require maintenance costs of less than \$500 per year?
- N/A 5) Would more than 12 participants normally use the project at once?
- N/A 6) Would more than 20 participants normally use the project at once?
- N 7) Is this project the first of its kind in the town?
- N 8) Is this project the first of its kind in the county?
- Y 9) Can the project be used by the participants unsupervised by an adult?
- N 10) Are grants available to help pay for the construction? If so, has application been made for the grant?
- Y 11) Can at least 10% of the cost be done by "in Kind Services"?
- N 12) Can at least 25% of the cost be done by "In Kind Services"?
- N/A 13) Does the project include considerations for additional parking?
- Y 14) Can the project be used more than 1 of the 4 seasons per year?
- Y 15) Does the project match the surrounding areas looks?
- Y 16) Does the project include all normal safety considerations?
- Y 17) Does the project meet all building and safety codes?
- Y 18) Is the project accessible by pedestrians? Cars?
- Y 19) Does the project take advantage of connections to other resources?

# Quote



**MOST DEPENDABLE  
FOUNTAINS, INC.**

5705 Commander Dr. Arlington, TN 38002

Quote QTE66744  
Date 1/18/2023  
Page 1/1

Quoted by:

(901) 867-0039

Bill To: BOURNE RECYCLING  
BOURNE MA 02532

Ship To: BOURNE RECYCLING  
BOURNE RECYCLING  
BOURNE MA 02532

Purchase Order No.	Customer ID	Shipping Method	Payment Terms	Req Ship Date	Master No.	
	BOURNE RECYCLIN	FEDEX 85	AT TIME OF ORDER	0/0/0000	131,398	
Quantity	Item Number	Description	UOM	Discount	Unit Price	Ext. Price
3	10145 SMSS	10145 SMSS ADA BOTTLE FILLER BLUE	EA	\$0.00000	\$4,575.00000	\$13,725.00
6	SEASONAL COVER	SEASONAL COVER FOR BOWLS	IN	\$0.00000	\$170.00000	\$1,020.00

WE ACCEPT CHECK OR CREDIT CARD AT THE TIME OF  
ORDER. LEAD TIME IS RUNNING ABOUT 4-5 WEEKS.  
QUOTED BY KIM PLEASE EMAIL PO TO  
KIM@MOSTDEPENDABLE.COM

Subtotal	\$14,745.00
Freight	\$1,795.00
Tax	\$0.00
Total	\$16,540.00

ONE YEAR WARRANTY. LABOR NOT INCLUDED  
PRICES SUBJECT TO CHANGE WITHOUT NOTICE  
CALIFORNIA SALES TAX IS SUBJECT TO CHANGE BASED ON SHIP TO ZIP CODE

**Most  
Dependable  
Fountains, Inc.**

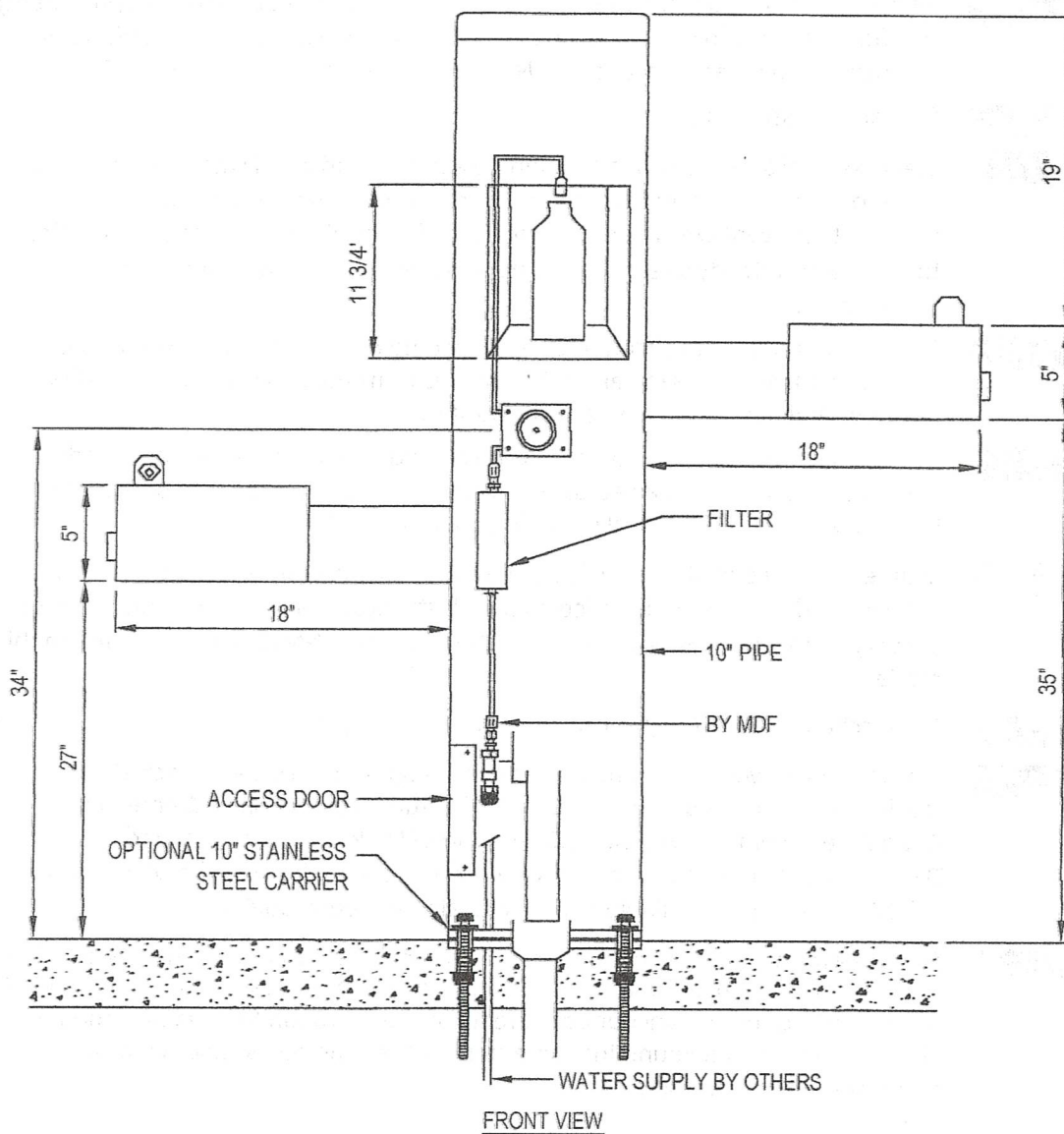
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**OPERATIONS MANUAL**

**MODELS:  
10145 SM & 10145 SMSS**

Most Dependable Fountains, Inc™  
5705 Commander Drive  
Arlington, TN 38002  
901-867-0039  
[www.mostdependable.com](http://www.mostdependable.com)

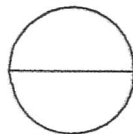




FRONT VIEW

**NOTES:**

1. OPTIONAL STAINLESS STEEL SURFACE CARRIER RECOMMENDED.
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. DO NOT SCALE DRAWING.
4. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
5. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
6. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT [www.CADdetails.com/info](http://www.CADdetails.com/info) AND ENTER REFERENCE NUMBER 3354-17.8.

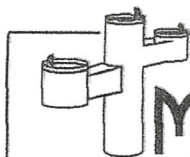


**MODEL 10145SM**

10145SM SHOWN WITH OPTIONAL 10" SS SURFACE CARRIER







# PEDESTAL BOTTLE FILLER SPECIFICATIONS

## WATER QUALITY (LEAD FREE)

Section 9, California Proposition 6 and the Federal Safe Drinking Water Act.

## ■ STANDARD PEDESTAL

One piece weld construction with MDF standard 3/16" wall thickness.

OR

## ■ STAINLESS STEEL PEDESTAL

One piece weld construction with MDF standard 304 schedule 10 stainless steel.

## RECEPTOR BOWL

18 gauge electro-polished stainless steel bowl. Bowl overlaps pedestal, preventing buildup of residue in visual drinking area. Optional stainless steel Bowl Strainer recommended for areas with sand. Not applicable on Model 10125 SMSS.

## BOTTLE FILLER SPOUT

Sanitary recessed nozzle.

## BUBBLER HEAD

Stainless steel anti-squirt head (weighing a pound and a half) mounted with a lock nut and washer to prevent tampering. Lock nut pin holds bubbler in locked position to prevent twisting or turning. The MDF bubbler head has a unique design that features a steady stream trajectory and a built in natural shield from contamination.

## PUSH BAR

304 stainless steel with circumference exceeding 8.6". Mushroom style push bar overlaps and prevents sand and other objects from sticking push bar in the ON position. Stainless steel bubbler housing standard.

## CONTROL VALVE

Requires less than 5 lbs to operate. Non-cartridge O-ring valve delivers steady stream of water through an adjustable valve. This valve design is to operate and function at 30 to 80 PSI. Ideal operating pressure is 60 PSI.

## WATER SUPPLY (LEAD FREE)

Maintenance free reinforced nylobraid tubing - **this tubing is not plastic**. It is supplied with a 1/2" MIP threaded inlet with stainless steel strainer. Union fittings at every connection. Supply line stops above grade. Water Filter is standard on this model.

## DRAIN

1 1/2" schedule 40 PVC pipe. Drain line stops above grade.

## FINISH

Oven baked powder coat. Choice of colors are: ☐ green, ☐ blue, ☐ black, ☐ red, ☐ yellow, ☐ orange, ☐ brown and ☐ white. Textured color choices: ☐ emerald, ☐ sapphire, ☐ pyrite, ☐ text-black, ☐ burgundy, ☐ gold vein, ☐ copper and ☐ sandstone. Stainless steel models are powder coated for added protection. The color ☐ chrome is an available option for stainless steel models only.

## INSTALLATION

**Surface Mount** installation is designed to be anchored on top of a new or existing surface (concrete, etc.) For a new surface, a surface mount carrier is recommended. For an existing surface, anchor bolts are to be used through the attached mounting plate. Surface Mount Fountains come standard with an access door with vandal resistant stainless steel screws.

## WINTERIZATION

Shut off water and drain down. Remove water filter.

## WARRANTY

One year warranty, labor not included.

## SHIPPING WEIGHT

Model 10125 SM.....	110 lbs	Model 10125 SMSS.....	100 lbs	Model 10890 SM.....	150 lbs
Model 10135 SM.....	150 lbs	Model 10135 SMSS.....	150 lbs	Model 10890 SMSS...	140 lbs
Model 10145 SM....	245 lbs	Model 10145 SMSS.....	235 lbs	Model 10895 SM.....	200 lbs
Model 10150 SM....	245 lbs	Model 10150 SMSS.....	235 lbs	Model 10895 SMSS...	190 lbs
Model 10155 SM....	195 lbs	Model 10155 SMSS.....	185 lbs		

**MOST DEPENDABLE FOUNTAINS, INC.™**  
5705 COMMANDER DR. • ARLINGTON, TN 38002-0587  
www.mostdependable.com  
(901) 867-0039



# INSTALLATION INSTRUCTIONS

Most Dependable Fountains, Inc.™

All SM (**surface mount**) products are designed to be installed on the surface of a new or existing concrete slab. Your contractor needs to provide a 1 ½" PVC drain line (**when applicable**) and water line thru finish grade. Connections are made to our SM products thru our access door, as shown on detail drawings. The water tubing is provided with a ½" male iron pipe connection. This is an excellent location for a cutoff valve. Surface Mount units are anchored to the existing concrete by means of ½" concrete shields with bolts or we recommend ½" quick bolts.

**Note:** We offer an optional template which is designed to be poured in the concrete slab. It comes with the necessary vandal resistant stainless steel bolts and washers needed to anchor.

---

All DB (**direct bury**) products are designed to be installed to a depth of 14" below grade. MDF provides 1 ½" PVC drain line inside the pedestal (**when applicable**) to point of connection by others. MDF also provides reinforced nylobraid flexible tubing with a ½" male iron pipe thread for connection to water supply by others. MDF recommends an optional valve box using a PVC conduit to the pedestal. By using this option you have complete control of your product.

**Individual detail drawings available Online or by request.**



For more information:  
Most Dependable Fountains, Inc.™  
[www.mostdependable.com](http://www.mostdependable.com)  
[Info@mostdependable.com](mailto:Info@mostdependable.com)  
901-867-0039



# LIMITED PRODUCT WARRANTY

Most Dependable Fountains, Inc.™

Most Dependable Fountains, Inc.™ warrants that all of its products are guaranteed against defective material or poor workmanship for a period of **one year from date of shipment**. Most Dependable Fountains, Inc.™ liability under this warranty shall be discharged by furnishing without charge any goods, or part thereof, which shall appear to the Company upon inspection to be of defective material or not of first class workmanship. Most Dependable Fountains, Inc.™ will not be liable for the cost of repairs, alterations or replacements, or for any expense connected therewith made by the owner or his agents. Most Dependable Fountains, Inc.™ will not be liable for any damages caused by defective materials or poor workmanship, except for replacements, as provided above. Buyer agrees that Most Dependable Fountains, Inc.™ has made no other warranties either expressed or implied in addition to those above stated. The products manufactured by Most Dependable Fountains, Inc.™ is warranted to function if installation and maintenance instructions provided are adhered to. The units also must be used for the purpose for which they were intended.



From: dlam@globalindustrial.com  
Subject: Your Global Industrial Quotation # 6840791  
Date: Jan 24, 2023 at 3:19:54 PM  
To: capecodbaby@comcast.net



2505 MILL CENTER PARKWAY SUITE 100  
BUFORD, GA 30518

## Sales Quote

Account #:7285145	Quote #:6840791	Quote Issued:01/24/2023
Board Recycling Committee	capecodbaby@comcast.net	*Pricing valid for 30 days from quote issue date. subject to change based on product availability and/or extraordinary market conditions
Heather Dipaolo	Phone: (508) 564-5306	<i>★ will not work with twin systems</i>
35 ERNEST VALERI RD	Fax:	
BUZZARDS BAY, Massachusetts 02532		
<a href="#">CLICK HERE TO LOGIN AND PLACE THIS ORDER ONLINE.</a>		

Part#	Description	Shipping	Quantity	Price	Extended
761222GN	Global Industrial™ Outdoor Pedestal Bottle Filler Station, Green	UPS - GROUND	3	\$1,800.00	\$5,400.00
Item Total:					\$5,400.00
Tax:					\$337.60
PLEASE BE SURE TO REVIEW OUR TERMS AND CONDITIONS					*Total: \$5,737.60

### Notes

Thank you for the opportunity to help with your needs.  
To place your order or for further assistance please  
contact me.

Name: DAVID LAM  
Email: dlam@globalindustrial.com  
Phone: (800) 645-1232  
Fax: (800) 336-3818

\*Applicable taxes and shipping charges will be added to invoice.



11 Harbor Park Drive, Port Washington, N.Y. 11050  
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### Help | Contact Us

This order is subject to [Global Industrial's Terms & Conditions of Sale](#). Global Industrial objects to any other additional or different terms in your purchase order or acceptance.

From: do-not-reply@zoro.com  
Subject: Zoro: Quotation #363347  
Date: Jan 24, 2023 at 3:04:44 PM  
To: capecodbaby@comcast.net



909 Asbury Drive  
Buffalo Grove IL 60089  
(855) 289-9676

**Bill To**

Heather DiPaolo  
For Quote purposes  
Buzzards Bay MA 02532  
United States

**Ship To**

Heather DiPaolo  
For Quote purposes  
Buzzards Bay MA 02532  
United States

**Quotation**

Date 1/24/2023  
Quote # 363347  
Expires 2/23/2023  
Shipping Method Standard Ground  
Shipping Tax Rate 0  
Contact Phone  
Customer PO#

Line No.	Z Number	Mfr #	Item	Qty	Units	Country of Origin	Est. Lead Time (Days)	Rate	Amount
1	G402608054	761222GN	Outdoor Pedestal Bottle Filler Station, Green	3	EA	Multiple	2	3,005.60	9,016.80

Subtotal 9,016.80

Shipping Cost (Standard Ground) 0.00

Total Tax 563.55

**Total \$9,580.35**

★ will not work  
with farm systems

**Availability is not guaranteed and is subject to change. Final tax and shipping costs will be calculated at time of purchase. This Quotation and all final sales are subject to the Terms and Conditions of sale at**

[www.zoro.com](http://www.zoro.com)



CAPITAL IMPROVEMENT PROGRAM  
CAPITAL PROJECT REQUEST

DEPARTMENT *DPW and Bourne Recycling Committee*  
FY 2022-2023

Information should be as specific as possible including start dates, completion dates and specific dollar amounts. Schematic design plans should be included to show the scope of the project. If available and appropriate based on the phase of the project more complete plans should be included.

**NAME OF PROJECT** *Water Bottle Refill Stations*

**DESCRIPTION OF PROJECT** *Install four water bottle refill stations on town property for the residents and visitors in Bourne.*

If this is a project with more than one phase – please describe the total project as well as each of the phases and then specifically describe the specific phase for this request.

**DESCRIPTION OF NEED:***The increased use of our open spaces has brought more people and more water bottle trash to the area. According to the Bourne Local Comprehensive Plan, Bourne's greatest natural resource is it's coastline. By installing water bottle refill stations we are reducing the amount of single use plastic and encouraging sustainable solutions that can be used by all in the community.*

**PROJECT PHASE:**

What is the proposed timeline for this project? *If this application is approved, there is a 4-6 week lead time for the units to arrive following fund availability. Construction will include the installation of concrete pads for the Water Bottle Refill Stations and water line installation. Following that, it is estimated that each unit could take three days to install with a connection to the town water line.*

Is there more than one phase of this project?                      If so describe this phase and how it fits into the total project including the total project timeline.

Are there timing issues related to the completion of this project or project phase: *The installation needs to be completed in the warmer months to allow the cement pad to cure and properly dig the connections to the Bourne water lines. Are there possible funding sources that might be lost or potential problems if this project or phase is not completed by a certain time? No funding would be lost, but not having the project completed this summer would result in continued plastic bottle litter that will reduce the life of the landfill.*

**PROJECT USEFUL LIFE (Years)** *10-15*

Describe the useful life and any factors which might extend or shorten the useful life of the project. *This estimate is based on proper maintenance of the units during the time they are used seasonally and assuming sufficient winterization is completed.*

**PROJECT PLANNING**

## CAPITAL IMPROVEMENT PROGRAM CAPITAL PROJECT REQUEST

Describe the planning process for this project. What Town Departments, Committees or Boards have been consulting in the planning? *During the preparation of this grant application the following departments and committees have been consulted: CPC Chairperson, DPW Superintendent, Bourne Schools Director of Business Services, Bourne Recreation Director, Bourne Recreation Committee, Bourne Conservation Department Agent, Bourne Conservation Committee, North Sagamore Water District Superintendent, North Sagamore Water District Commission, Bourne Water District Superintendent, Buzzards Bay Water District Superintendent, Manager of Facility Compliance and Technology Development at ISWM, Bourne Health Agent, and the Bourne Natural Resources Officer.* Have any professional services (engineers, etc.) been consulted during the preparation for the project request? *Bourne Water Districts*

Are any future professional services required for the planning and/or completion of the project?

Are any approvals necessary for this project? *Water Department* If so, have the approvals been obtained? If necessary approvals have not been obtained please describe the approval process and how it fits into the project timeline.

### PROJECT COSTS

This should include cost of this phase as well as the overall project cost. Detailed estimates are helpful for project understanding and evaluation.

*Cost of the units and additional filters: \$11,000.*

*Cost of materials (concrete & water lines): \$10,000.*

*Contingency: \$2,000.*

*Total requested: \$23,000.*

### PROJECT FUNDING SOURCES

Please describe specifically with dollar amounts all proposed funding sources. *All costs are to be covered by the proposed 2023 CPC grant.* If potential sources have been identified that can only be applied for based on project approval or completion, please describe the sources and the application and approval process for the funding source.

### REVENUE GENERATED BY PROJECT IMPLEMENTATION

Projected annual revenue – what is the source of the revenue. Is there current revenue related to this project? *No* If so, describe the current revenue and expenses and how the project will impact revenue and expenses. Will current revenue be lost if the project is not completed? *N/A* What is the estimated payback (in years) on the project? *Landfill space, reduced plastic pollution*

### IMPACT OF PROJECT ON OPERATING & MAINTENANCE COSTS:

Are there any salaries or operating costs (including additional fuel, heat and/or electricity costs) expected?

CAPITAL IMPROVEMENT PROGRAM  
CAPITAL PROJECT REQUEST

Are there custodial or other maintenance costs associated with this project? Include both annual maintenance and other maintenance cost required less than annually.

**EXPLAIN AND JUSTIFY NEW POSITIONS.**

**PROJECT PRIORITY**

Please describe and rank the priority of this project based on your perception of the importance of the project for your department and the Town in terms of both operating and capital budget needs. *This project is greatly needed to assist with the litter reduction in our coastal community. Our neighboring towns have banned the sale of plastic water bottles and this project will help curb their usage in our town without putting great restrictions on the businesses that sell them. Given that information, we feel this project is deemed a high priority.* Also, please rank the project based on the Capital Outlay Committee criteria.

Assessed value of taxable property to be removed from tax list:

Relation of this project to other projects or to the long range plan:

When was this project first requested for inclusion on the capital improvement plan? *January 2023*

For what FY was the initial project request? *2022-2023*

If this project has previously been deferred from the current year projects under consideration have there been any impacts from this deferral. *N/A*

Will the proposed project have an impact or effect of the environment? *Yes* If yes, please explain. *The reduction of single use water bottles with these water bottle refill stations will not only help with roadside and coastal litter, but help to extend the life of the Bourne landfill.*

If land acquisition. Attach a plot plan. *N/A*

Other comments: *The exact locations of the water refill stations cannot be determined until the water districts give their expertise on the best way to connect with town water at each site. The proposed sites include: Clark Field in Sagamore Beach, Monument Beach Marina, Middle School playground, and Soccer/lacrosse fields behind the school complex.*

# Quote



**MOST DEPENDABLE  
FOUNTAINS, INC.**

5705 Commander Dr. Arlington, TN 38002

Quote QTE67112

Date 2/7/2023

Page 1/1

Quoted by:

(901) 867-0039

Bill To: BOURNE RECYCLING  
BOURNE MA 02532

Ship To: BOURNE RECYCLING  
BOURNE RECYCLING  
BOURNE MA 02532

Purchase Order No.	Customer ID		Shipping Method	Payment Terms	Req Ship Date	Master No.
	BOURNE RECYCLIN		FEDEX 85	AT TIME OF ORDER	0/0/0000	131,909
Quantity	Item Number	Description	UOM	Discount	Unit Price	Ext. Price
4	10125 SMSS	10125 SMSS BOTTLE FILLER BLUE	EA	\$0.00000	\$2,420.00000	\$9,680.00
4	NSA REPLACE	NSA FILTER REPLACEMENT	EA	\$0.00000	\$135.00000	\$540.00

WE ACCEPT CHECK OR CREDIT CARD AT THE TIME OF  
ORDER. LEAD TIME IS RUNNING ABOUT 4-5 WEEKS.

QUOTED BY KIM PLEASE EMAIL PO TO  
KIM@MOSTDEPENDABLE.COM

Subtotal \$10,220.00

Freight \$1,650.00

Tax \$0.00

Total \$11,870.00

ONE YEAR WARRANTY. LABOR NOT INCLUDED  
PRICES SUBJECT TO CHANGE WITHOUT NOTICE  
CALIFORNIA SALES TAX IS SUBJECT TO CHANGE BASED ON SHIP TO ZIP CODE

**Most  
Dependable  
Fountains, Inc.**

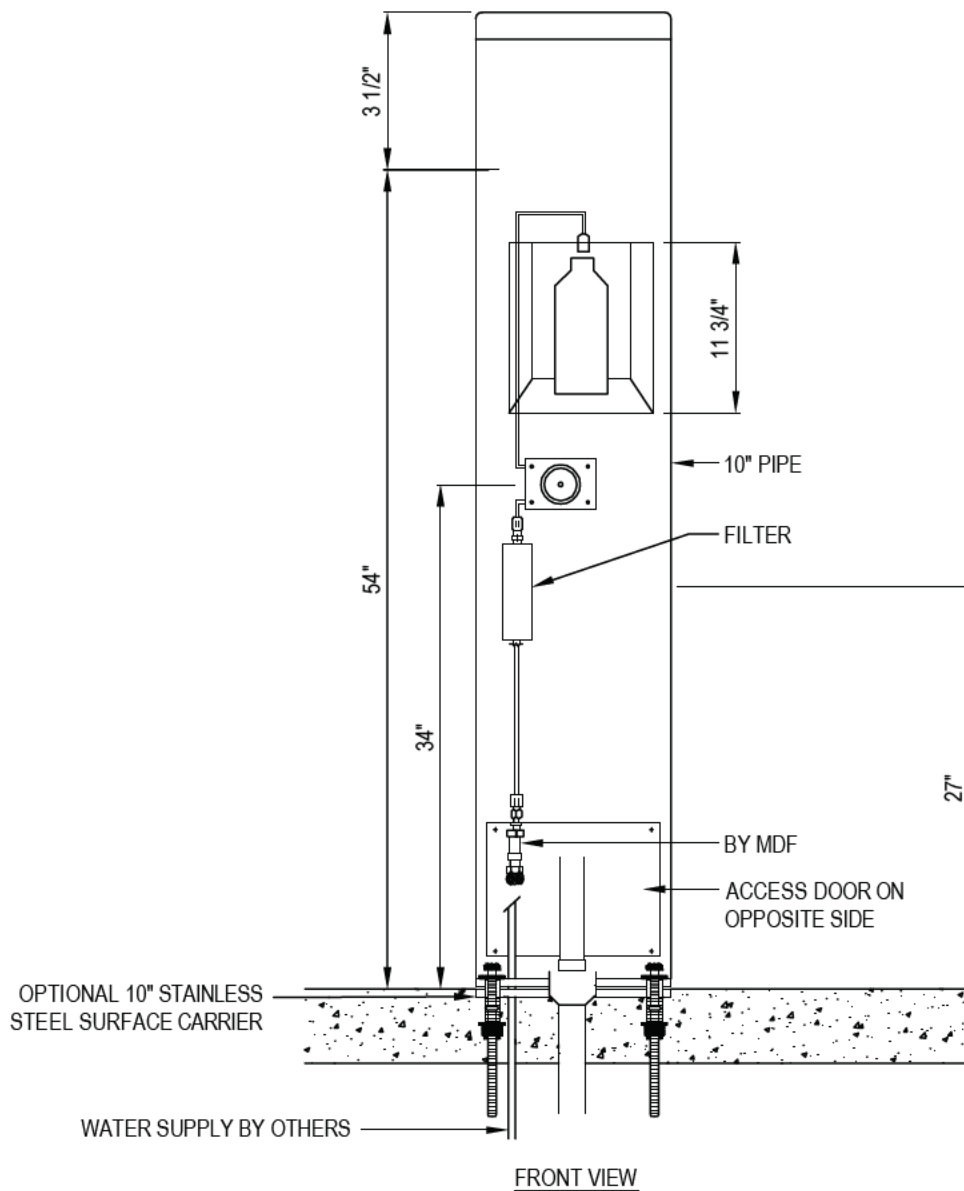
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**OPERATIONS MANUAL**

**MODELS:  
10125 SM & 10125 SMSS**

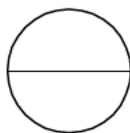
Most Dependable Fountains, Inc™  
5705 Commander Drive  
Arlington, TN 38002  
901-867-0039  
[www.mostdependable.com](http://www.mostdependable.com)





NOTES:

1. OPTIONAL STAINLESS STEEL SURFACE CARRIER RECOMMENDED.
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. DO NOT SCALE DRAWING.
4. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
5. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
6. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT [www.CADdetails.com/info](http://www.CADdetails.com/info) AND ENTER REFERENCE NUMBER 3354-17.5.



**MODEL 10125SM**

10125SM SHOWN WITH OPTIONAL 10" SS SURFACE CARRIER



# PEDESTAL BOTTLE FILLER SPECIFICATIONS

## WATER QUALITY (LEAD FREE)

Section 9, California Proposition 6 and the Federal Safe Drinking Water Act.

## ■ STANDARD PEDESTAL

One piece weld construction with MDF standard 3/16" wall thickness.

OR

## ■ STAINLESS STEEL PEDESTAL

One piece weld construction with MDF standard 304 schedule 10 stainless steel.

## RECEPTOR BOWL

18 gauge electro-polished stainless steel bowl. Bowl overlaps pedestal, preventing buildup of residue in visual drinking area. Optional stainless steel Bowl Strainer recommended for areas with sand. Not applicable on Model 10125 SMSS.

## BOTTLE FILLER SPOUT

Sanitary recessed nozzle.

## BUBBLER HEAD

Stainless steel anti-squirt head (weighing a pound and a half) mounted with a lock nut and washer to prevent tampering. Lock nut pin holds bubbler in locked position to prevent twisting or turning. The MDF bubbler head has a unique design that features a steady stream trajectory and a built in natural shield from contamination.

## PUSH BAR

304 stainless steel with circumference exceeding 8.6". Mushroom style push bar overlaps and prevents sand and other objects from sticking push bar in the ON position. Stainless steel bubbler housing standard.

## CONTROL VALVE

Requires less than 5 lbs to operate. Non-cartridge O-ring valve delivers steady stream of water through an adjustable valve. This valve design is to operate and function at 30 to 80 PSI. Ideal operating pressure is 60 PSI.

## WATER SUPPLY (LEAD FREE)

Maintenance free reinforced nylobraid tubing - **this tubing is not plastic**. It is supplied with a 1/2" MIP threaded inlet with stainless steel strainer. Union fittings at every connection. Supply line stops above grade. Water Filter is standard on this model.

## DRAIN

1 1/2" schedule 40 PVC pipe. Drain line stops above grade.

## FINISH

Oven baked powder coat. Choice of colors are: ■ green, ■ blue, ■ black, ■ red, ■ yellow, ■ orange, ■ brown and ■ white. Textured color choices: ■ emerald, ■ sapphire, ■ pyrite, ■ text-black, ■ burgundy, ■ gold vein, ■ copper and ■ sandstone. Stainless steel models are powder coated for added protection. The color ■ chrome is an available option for stainless steel models only.

## INSTALLATION

**Surface Mount** installation is designed to be anchored on top of a new or existing surface (concrete, etc.) For a new surface, a surface mount carrier is recommended. For an existing surface, anchor bolts are to be used through the attached mounting plate. Surface Mount Fountains come standard with an access door with vandal resistant stainless steel screws.

## WINTERIZATION

Shut off water and drain down. Remove water filter.

## WARRANTY

One year warranty, labor not included.

## SHIPPING WEIGHT

Model 10125 SM.....110 lbs	Model 10125 SMSS..... 100 lbs	Model 10890 SM..... 150 lbs
Model 10135 SM.....150 lbs	Model 10135 SMSS..... 150 lbs	Model 10890 SMSS... 140 lbs
Model 10145 SM.... 245 lbs	Model 10145 SMSS..... 235 lbs	Model 10895 SM..... 200 lbs
Model 10150 SM.... 245 lbs	Model 10150 SMSS..... 235 lbs	Model 10895 SMSS... 190 lbs
Model 10155 SM.... 195 lbs	Model 10155 SMSS..... 185 lbs	

**MOST DEPENDABLE FOUNTAINS, INC.™**  
5705 COMMANDER DR. • ARLINGTON, TN 38002-0587  
www.mostdependable.com  
(901) 867-0039



# INSTALLATION INSTRUCTIONS

Most Dependable Fountains, Inc.™

All **SM (surface mount)** products are designed to be installed on the surface of a new or existing concrete slab. Your contractor needs to provide a 1 ½" PVC drain line (**when applicable**) and water line thru finish grade. Connections are made to our SM products thru our access door, as shown on detail drawings. The water tubing is provided with a ½" male iron pipe connection. This is an excellent location for a cutoff valve. Surface Mount units are anchored to the existing concrete by means of ½" concrete shields with bolts or we recommend ½" quick bolts.

**Note:** We offer an optional template which is designed to be poured in the concrete slab. It comes with the necessary vandal resistant stainless steel bolts and washers needed to anchor.

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All **DB (direct bury)** products are designed to be installed to a depth of 14" below grade. MDF provides 1 ½" PVC drain line inside the pedestal (**when applicable**) to point of connection by others. MDF also provides reinforced nylobraid flexible tubing with a ½" male iron pipe thread for connection to water supply by others. MDF recommends an optional valve box using a PVC conduit to the pedestal. By using this option you have complete control of your product.

**Individual detail drawings available Online or by request.**



For more information:  
Most Dependable Fountains, Inc.™  
[www.mostdependable.com](http://www.mostdependable.com)  
[Info@mostdependable.com](mailto:Info@mostdependable.com)  
901-867-0039

# LIMITED PRODUCT WARRANTY

Most Dependable Fountains, Inc.<sup>™</sup>

Most Dependable Fountains, Inc.<sup>™</sup> warrants that all of its products are guaranteed against defective material or poor workmanship for a period of **one year from date of shipment**. Most Dependable Fountains, Inc.<sup>™</sup> liability under this warranty shall be discharged by furnishing without charge any goods, or part thereof, which shall appear to the Company upon inspection to be of defective material or not of first class workmanship. Most Dependable Fountains, Inc.<sup>™</sup> will not be liable for the cost of repairs, alterations or replacements, or for any expense connected therewith made by the owner or his agents. Most Dependable Fountains, Inc.<sup>™</sup> will not be liable for any damages caused by defective materials or poor workmanship, except for replacements, as provided above. Buyer agrees that Most Dependable Fountains, Inc.<sup>™</sup> has made no other warranties either expressed or implied in addition to those above stated. The products manufactured by Most Dependable Fountains, Inc.<sup>™</sup> is warranted to function if installation and maintenance instructions provided are adhered to. The units also must be used for the purpose for which they were intended.





# Powder Coating Color Chart

## Standard Finishes

**SMOOTH:** Available for Standard & Stainless Steel Units.



Green



Blue



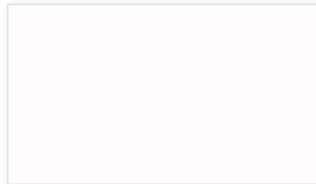
Black



Red



Brown



White

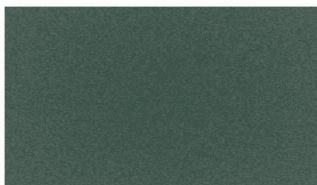


Yellow

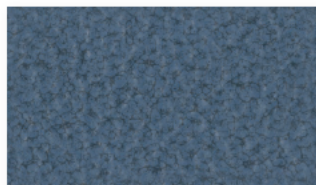


Orange

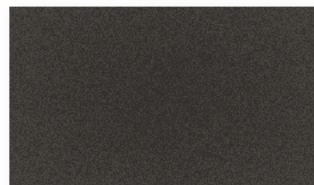
**TEXTURED:** Available for Standard & Stainless Steel Units.



Textured Emerald



Textured Sapphire



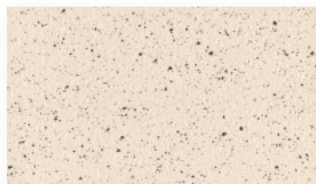
Textured Black



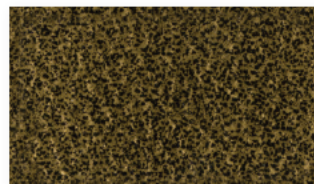
Textured Burgundy



Textured Pyrite



Textured Sandstone

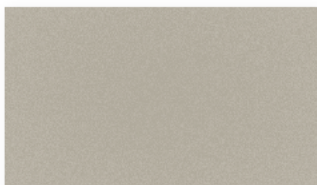


Textured Gold Vein



Textured Copper

**CHROME:** Available for Stainless Steel Units Only.



Chrome

Colors on computer monitors vary greatly.  
Please request a color card or paint sample.



Most Dependable Fountains, Inc.™ manufactures in  
Arlington, TN.

Our in house finishing facility allows customers to  
choose any of our standard colors. All colors with  
the exception of Chrome are available on regular  
steel products. All colors plus Chrome are available  
on stainless steel products.

It is the policy of Most Dependable Fountains, Inc. to  
powder coat all standard and stainless steel units.

Please contact Most Dependable Fountains, Inc. for  
more information.

901-867-0039

[info@mostdependable.com](mailto:info@mostdependable.com)

[www.mostdependable.com](http://www.mostdependable.com)

## **MASSACHUSETTS ABATEMENT TERMS**

### **I. STATEWIDE COMMITMENT TO ABATEMENT**

The Commonwealth and its municipalities have a shared commitment to using abatement funds recovered from statewide opioid settlements to supplement and strengthen resources available to Massachusetts communities and families for substance use disorder prevention, harm reduction, treatment, and recovery in a manner that:

- ❖ reflects the input of our communities, of people who have personal experience with the opioid crisis, of experts in treatment and prevention, and of staff and organizations that are carrying out the abatement work;
- ❖ addresses disparities in existing services and outcomes and improves equity and the health of individuals and communities disadvantaged by race, wealth, and stigma, including through efforts to increase diversity among service providers;
- ❖ addresses mental health conditions, substance use disorders, and other behavior health needs that occur together with opioid use disorder (“OUD”);
- ❖ leverages programs and services already reimbursed by state agencies and programs, including direct care reimbursed by MassHealth and the state’s Bureau of Substance Addiction Services (“BSAS”); and
- ❖ encourages innovation, fills gaps and fixes shortcomings of existing approaches; supplements rather than supplants resources for prevention, harm reduction, treatment, and recovery; includes evidence-based, evidence-informed, and promising programs; and takes advantage of the flexibility that is allowed for these funds.<sup>2</sup>

This document sets forth: how abatement funds from these settlements must be used by the state and its municipalities (Sections II and III); how the state will support municipal abatement initiatives (Section IV); and state and municipal reporting requirements (Section V).

### **II. STATE USE OF ABATEMENT FUNDS**

Abatement funds directed to the state shall be deposited into the [statewide Opioid Recovery and Remediation Fund](#) to supplement prevention, harm reduction, treatment, and recovery programs throughout Massachusetts. The Fund is overseen by the Commonwealth’s Executive Office of Health and Human Services (“EOHHS”) together with a [Council comprised of 10 municipal appointees appointed by the Massachusetts Municipal Association and 10 state](#)

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<sup>2</sup> In this document, the words “fund” and “support” are used interchangeably and mean to create, expand, or sustain a program, service, or activity. References to persons with opioid use disorder are intended in a broad practical manner to address the public health crisis, rather than to require a clinical diagnosis, and they include, for example, persons who have suffered an opioid overdose. It is also understood that OUD is often accompanied by co-occurring substance use disorder or mental health conditions, and it is intended that the strategies in this document will support persons with OUD and any co-occurring SUD and mental health conditions.

[appointees](#) qualified by experience and expertise regarding opioid use disorder. Appointees serve for two years. The Council holds public meetings every quarter to identify priorities for addressing the opioid epidemic in Massachusetts.

### **III. MUNICIPAL USE OF ABATEMENT FUNDS**

Abatement funds allocated to municipalities shall be used to implement the strategies set forth below. Municipalities are encouraged to pool abatement funds to increase their impact, including by utilizing the [Office of Local and Regional Health's Shared Service infrastructure](#). Municipal abatement funds shall not be used to fund care reimbursed by the state, including through MassHealth and BSAS, although local or area agencies or programs that provide state-reimbursed services can be supported financially in other ways that help meet the needs of their participants.

#### **1. Opioid Use Disorder Treatment**

Support and promote treatment of persons with OUD, including through programs or strategies that:

- a. Expand mobile intervention, treatment, telehealth treatment, and recovery services offered by qualified providers, including peer recovery coaches.
- b. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
- c. Make capital expenditures to rehabilitate and expand facilities that offer treatment for OUD, in partnership with treatment providers.
- d. Treat trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose).

#### **2. Support People In Treatment And Recovery**

Support and promote programs or strategies that:

- a. Provide comprehensive wrap-around services to individuals with OUD, including job placement, job training, or childcare.
- b. Provide access to housing for people with OUD, including supportive housing, recovery housing, housing, rent, move-in deposits, and utilities assistance programs, training for housing providers, or recovery housing programs that integrate FDA-approved medication with other support services.
- c. Rehabilitate properties appropriate for low-threshold and recovery housing, including in partnership with DHCD-funded agencies and OUD-specialized organizations.
- d. Provide peer support specialists that support people in accessing OUD treatment, trauma-informed counseling and recovery support, harm reduction services, primary healthcare,

or other services, including support for long-term recovery encompassing relapse, treatment, and continued recovery.

- e. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD.
- f. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD.
- g. Provide transportation to treatment or recovery services for persons with OUD.
- h. Provide employment training or educational services for persons with OUD, such as job training, job placement, interview coaching, community college or vocational school courses, transportation to these activities, or similar supports.
- i. Increase the number and capacity of high-quality recovery programs to help people in recovery.
- j. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
- k. Support programs for recovery in schools and/or standalone recovery high schools.
- l. Support bereaved families and frontline care providers.

### **3. Connections To Care**

Provide connections to care for people who have, or are at risk of developing, OUD through programs or strategies that:

- a. Support the work of Emergency Medical Systems, including peer support specialists and post-overdose response teams, to connect individuals to trauma-informed treatment recovery support, harm reduction services, primary healthcare, or other appropriate services following an opioid overdose or other opioid-related adverse event.
- b. Support school-based services related to OUD, such as school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people. This should include alternatives to suspension or interaction with school resource officers such as restorative justice approaches.
- c. Fund services or training to encourage early identification and intervention for families, children, or adolescents who may be struggling with use of drugs or mental health conditions, including peer-based programs and Youth Mental Health First Aid. Training programs may target families, caregivers, school staff, peers, neighbors, health or human services professionals, or others in contact with children or adolescents.

- d. Include Fire Department partnerships such as Safe Stations.<sup>3</sup>

#### **4. Harm Reduction**

Support efforts to prevent overdose deaths or other opioid-related harms through strategies that:

- a. Increase availability of naloxone and other drugs that treat overdoses for first responders,<sup>4</sup> overdose patients, individuals with OUD and their friends and family, schools, community-based organizations, community navigators and outreach workers, persons being released from jail or prison, or the public.
- b. Provide training and education regarding naloxone and other drugs that treat overdoses.
- c. “Naloxone Plus” strategies to ensure that individuals who receive naloxone to reverse an overdose are linked to treatment programs or other appropriate services.
- d. Approve and fund syringe service programs and other programs to reduce harms associated with drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, syringe collection and disposal, connections to care, and the full range of harm reduction and treatment services provided by these programs.
- e. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, primary and behavioral health care, recovery support, or other appropriate services to persons with OUD.
- f. Promote efforts to train health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD in crisis training and harm reduction strategies.
- g. Active outreach strategies such as the Drug Abuse Response Team model or the Post Overdose Support Team model.
- h. Provide outreach and services for people who use drugs and are not yet in treatment, including services that build relationships with and support for people with OUD.

#### **5. Address The Needs Of Criminal-Justice-Involved Persons**

Support diversion and deflection programs and strategies for criminal-justice-involved persons with OUD, including:

- a. Programs, that connect individuals involved in the criminal justice system and upon release from jail or prison to OUD harm reduction services, treatment, recovery support, primary healthcare, prevention, legal support, or other supports, or that provide these

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<sup>3</sup> Safe Stations currently operate in Fall River and Revere. See, e.g., <https://www.mma.org/fall-river-fire-stations-become-safe-stations-for-people-seeking-addiction-treatment/>.

<sup>4</sup> Municipalities can purchase discounted naloxone kits from the State Office of Pharmacy Services. See <https://www.mass.gov/service-details/bulk-purchasing-of-naloxone>.



services.

- b. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater OUD expertise.
- c. Public safety-led diversion strategies such as the Law Enforcement Assisted Diversion model.
- d. Participate in membership organizations such as the Police Assisted Addiction Recovery Initiative for training and networking and utilize law enforcement training opportunities such as the Safety and Health Integration in the Enforcement of Laws on Drugs (SHIELD) model.<sup>5</sup>

## **6. Support Pregnant Or Parenting Women And Their Families, Including Babies With Neonatal Abstinence Syndrome**

Support pregnant or parenting women with OUD and their families, including babies with neonatal abstinence syndrome, through programs or strategies that provide family supports or childcare services for parents with OUD, including supporting programs such as:

- a. FIRST Steps Together, a home visiting program for parents in recovery that currently has seven sites serving cities and towns across the state;
- b. Pregnant/post-partum and family residential treatment programs, including and in addition to the eight family residential treatment programs currently funded by DPH; and
- c. the Moms Do Care recovery support program that has grown from two to ten programs in the state.

## **7. Prevent Misuse Of Opioids And Implement Prevention Education**

Support efforts to prevent misuse of opioids through strategies that:

- a. Support programs, policies, and practices that have demonstrated effectiveness in preventing drug misuse among youth. These strategies can be found at a number of existing evidence-based registries such as Blueprints for Health Youth Development (<https://www.blueprintsprograms.org/>).
- b. Support community coalitions in developing and implementing a comprehensive strategic plan for substance misuse prevention. There are a number of evidence based models for strategic planning to consider including but not limited to the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (<https://www.samhsa.gov/sites/default/files/20190620-samhsa-strategic-prevention-framework-guide.pdf>) and Communities That Care developed by the University of Washington (<https://www.communitiesthatcare.net/programs/ctc-plus/>).
- c. Engage a robust multi-sector coalition of stakeholders in both the development and implementation of the above stated strategic plan (<https://www.prevention->

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<sup>5</sup> See <https://paariusa.org>

[first.org/centers/center-for-community-engagement/about-this-center/](https://first.org/centers/center-for-community-engagement/about-this-center/)).

- d. Support community-based education or intervention services for families, youth, and adolescents at risk for OUD.
- e. Support greater access to mental health services and supports for young people, including services provided in school and in the community to address mental health needs in young people that (when not addressed) increase the risk of opioid or another drug misuse.
- f. Initiate, enhance, and sustain local youth health assessment through the implementation of a validated survey tool to develop localized strategic plans that will inform the best ways to institute or enhance strategies to reduce and prevent youth substance misuse, including mental health services and supports for young people, intervention services for families, and youth-focused programs, policies, and practices that have demonstrated effectiveness in reducing and preventing drug misuse.

#### **IV. STATE SUPPORT FOR MUNICIPAL ABATEMENT AND INTER-MUNICIPAL COLLABORATION**

EOHHS and the Department of Public Health (DPH), including through its [Office of Local and Regional Health](#) (OLRH), will support municipal abatement initiatives by providing strategic guidance to help Massachusetts municipalities select and implement abatement strategies and [effectively pool their resources through inter-municipal Shared Service Agreements](#), as well as other technical assistance. By pooling resources, functions, and expertise, a consortium of cities and towns can expand the public health protections and services they offer residents.

In addition, EOHHS/DPH will collect information regarding municipal abatement and publish an annual report to provide the public with information about the municipal abatement work and to highlight effective strategies, lessons learned, and opportunities for further progress. The support for municipal abatement described in this Section IV will be funded by the state abatement funds described in Section II, above.

#### **V. REPORTING AND RECORD-KEEPING REQUIREMENTS**

**A. STATE REPORTING.** Annually, not later than October 1, the secretary of EOHHS shall file a report on the activity, revenue and expenditures to and from the statewide Opioid Recovery and Remediation Fund in the prior fiscal year with the clerks of the senate and the house of representatives, the house and senate committees on ways and means and the joint committee on mental health, substance use and recovery and made available on the executive office of health and human services' public website. The report shall include, but not be limited to: revenue credited to the fund; expenditures attributable to the administrative costs of the executive office; an itemized list of the funds expended from the fund; data and an assessment of how well resources have been directed to vulnerable and under-served communities. EOHHS filed its [first Annual Report](#) on October 1, 2021.

**B. MUNICIPAL REPORTING.** Cities and towns that receive annual abatement distributions of \$35,000<sup>6</sup> or more, whether individually or pooled through OLRH Shared Service arrangements, will be required to submit annual reports of their Municipal Abatement Fund expenditures in the prior fiscal year to EOHHS, starting in FY2023. The reports shall include, but not be limited to: municipal abatement funds received; an itemized list of the funds expended for abatement and administrative costs, if applicable; the unexpended balance; a brief description of the funded abatement strategies and efforts to direct resources to vulnerable and under-served communities. Additional reporting-related guidance shall be provided. All municipalities must: maintain, for a period of at least 5 years after funds are received, documents sufficient to reflect that Municipal Abatement Funds were utilized for the Municipal Abatement Strategies listed herein.<sup>7</sup>

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<sup>6</sup> EOHHS retains the right to modify this reporting threshold.

<sup>7</sup> Nothing in this document reduces obligations under public records law.

## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Name of Applicant Bourne Historical Society, Inc. (BHS)

Name of Co-Applicant, if applicable Bourne Historical Commission (BHC)

Contact Name Mavis Robinson, BHS / Carl Georgeson, BHC

Mailing Address 30 Keene Street City Bourne State MA Zip 02532

Daytime Phone BHS 603-969-6139 / BHC 201-774-6220 Email BHS: bournehistoricalsociety@comcast.net

Name of Proposal Preservation of Perry-Ellis-Keene House Email BHC:

Address of Proposal 9 Sandwich Road, Bourne, MA 02532

Assessors Map 24.3 Parcel 16-0

CPA Category (circle all that apply): ☐ Open Space ☒ **Historic Preservation** ☐ Recreation ☐ Community Housing

CPA Funding Requested \$ 250,000 Total Cost of Proposed Project \$ 250,000

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?
- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.
- **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?
- **Credentials:** How will the experience of the applicant contribute to the success of this project?
- **Success Factors:** How will the success of this project be measured? Be as specific as possible.
- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)
- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?
- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information *to* be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. (Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)

- |            |     |  |
|------------|-----|--|
| <u>NO</u>  | 1)  | Does the project have other sources of funding? If so, indicate percentage.  |
| <u>YES</u> | 2)  | Does the project require urgent attention?   |
| <u>N/A</u> | 3)  | Does the project serve a currently underserved population?   |
| <u>YES</u> | 4)  | Does the project preserve a threatened resource?   |
| <u>N/A</u> | 5)  | Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan? |
| <u>N/A</u> | 6)  | Does the project fit within the current or already proposed zoning regulations?  |
| <u>YES</u> | 7)  | Does the project have a means of support for maintenance and upkeep?   |
| <u>NO</u>  | 8)  | Does the project involve currently owned municipal assets?   |
| <u>NO</u>  | 9)  | Does the project have two other sources of funding?  |
| <u>NO</u>  | 10) | Does the project have more than two other sources of funding?  |
| <u>NO</u>  | 11) | Does the project involve two core concerns of the CPA?   |
| <u>NO</u>  | 12) | Does the project involve all three-core concerns of the CPA?   |
| <u>YES</u> | 13) | Does the project have community support?   |
| <u>YES</u> | 14) | Does the project have sufficient supporting documentation?   |
| <u>YES</u> | 15) | Does the project have support from another Board or Committee?   |
| <u>YES</u> | 16) | Does the project provide a positive impact to the community?   |
| <u>N/A</u> | 17) | Does the project have the support of the majority of immediate abutter?  |



## Historic Preservation Selection Criteria

Check each line as it applies:

- NO 1) Is the building on the National Register of Historic Places?
- YES 2) Is the property eligible for listing on the National Register of Historic Places?
- NO 3) Is the property on the State Historic Register?
- YES 4) Is the property eligible for listing on the State Historic Register?
- YES 5) Has the property been included in the local Survey of Historic Properties?
- YES 6) Is the property in danger of being demolished?
- YES 7) Are there potential archeological artifacts at the site?
- YES 8) Has the property been noted in published histories of the town or county? Is
- YES 9) there a realistic chance of restoring the property?
- NO 10) Are there other potential uses for the property, which could benefit the town?
- NO 11) Could the building be converted for affordable housing use while still retaining its historic quality?
- YES 12) Is the property part of a historic area or district in the town?
- NO 13) Is the owner also interested in preserving the historic integrity of the property?
- N/A 14) Is there an opportunity for other matching funding to preserve the property'? Explain'?
- YES 15) Are there any particularly important historic aspects about the property?
- YES 16) Did the property ever play a documented role in the history of the town?

FY2024  
Town of Bourne Community Preservation Act Application  
**THE PERRY-ELLIS-KEENE HOUSE**

**GOALS**

The Perry-Ellis-Keene House was built circa 1690 by Benjamin Perry, and is the last surviving house of the Perry brothers (Ezra, John, Samuel, and Benjamin). Their parents, Ezra and Elizabeth Burgess Perry, were the area's first settlers. Elizabeth was the only daughter of Thomas "Goodman" Burgess, who settled Sagamore circa 1637.

Recognized by Mass. Historical Commission's Mass. Cultural Resource Information System (MACRIS) as built prior to 1693, it is probably the oldest house in Bourne. It is inarguably the oldest standing house in Bourne Village and one of only three surviving First Period houses in the entirety of Bourne. The goal of the applicants is to save the house from demolition and preserve it for future generations.

**COMMUNITY NEED**

The Perry-Ellis-Keene house has survived for over 330 years. It is as important to the Bourne village landscape as the library and the church. But the house is more than its architecture. It is also about history and the people who lived in the house, including the following familiar and notable families, who lived in the house from the 1690's until 2012:

- |                                   |           |
|-----------------------------------|-----------|
| ➤ Perry (& Perry descendants)     | 1690-1735 |
| ➤ Swift (& Swift descendants)     | 1690-1735 |
| ➤ Ellis (& Ellis descendants)     | 1735-2012 |
| ➤ Winslow (& Winslow descendants) | 1735-2012 |
| ➤ Blackwell (& descendants)       | 1735-1920 |
| ➤ Parker                          | 1865-1915 |
| ➤ Hamblen (& descendants)         | 1911-2012 |
| ➤ Keene (& Keene descendants)     | 1911-2012 |

These families are historically significant to the founding of Bourne and the settlement of Cape Cod. Their stories span the entire history of this area: from the settling of Monument and our earliest agrarian beginnings to the 1800's maritime and shipping industries through the heyday of turn-of-the century tourism into the challenges of the Great Depression and both World Wars leading up to modern day. Children born and raised in the house were fierce patriots and served (and died) in this country's earliest battles: the French and Indian War, the Revolutionary War, and the Civil War. Descendants of their children were actively involved in town affairs and shaped the fabric of our community. They include farmers, homemakers, sailors, artists, ministers, nurses, carpenters, town officials, cranberry growers, and such national figures as the Swifts (who started Swift Meats) and the Perrys (whose descendants include Franklin Roosevelt).

Most recently, our wonderful local historian Betsey D. Keene lived and died in the house. There, she drafted and published her seminal book, *History of Bourne 1622 – 1937*, which continues to be a resource prized by scholars, history buffs and genealogists. All these people have stories to

tell future generations. [A more complete history of the house and those who lived in it is available for download on the Historic Commission's webpage on the Town of Bourne website.

On February 10, 2022, the current owners of the house, One Trowbridge Road, LLC, filed for a Demolition Permit. Several Demolition Delay Hearings were held by the Bourne Historic Commission (BHC), pursuant to Section 3.14 of the Town's Bylaws, and on May 10, 2022, a formal one-year Demolition Delay Order was placed on the property.

In less than three months' time, without intervention, this rare and important historic resource – one of only three remaining First Period houses in Bourne – will be demolished. Once demolished, this piece of history, which is an irreplaceable testament to our earliest beginnings, is lost to us and to future generations forever.

### **COMMUNITY SUPPORT**

Since the recent demolition decision, members of the Bourne Historical Commission (BHC) and others have been working diligently to preserve the house. The Bourne Historical Society (BHS), the Bourne Society for Historic Preservation (BSHP) and BHC all support preserving this piece of Bourne's history by saving the house and have passed resolutions to that effect.

At its February 7, 2023 meeting, the Select Board voted to endorse BHC's January 24, 2023 Continuing Resolution supporting this effort (copy attached), and officially appointed a Member as the Board's representative in these on-going efforts to preserve this historic house.

BHS is currently enlisting the support of its members to work on this project and intends to obtain additional letters supporting the house's preservation.

### **TIMELINE**

Following the formal Demolition Delay Order, BHC explored preserving the house in situ. In light of several conversations between BHC and the current owners, however, BHC learned that an in situ option is not feasible. The current owners have expressed their willingness to cooperate in the transfer of the house to the Town or a non-profit entity **only if it is moved off their property.**

BHC then explored moving the house from 9 Sandwich Road to a small plot of Town-owned land located between 22 and 36 Sandwich Road. BHC contacted various companies, who are familiar with moving historic structures, and obtained tentative quotes for the project. These quotes are all contingent upon a site visit.

BHC also discussed this option with BSHP and the Town Representative. At its February 7th meeting, the Select Board discussed whether a new owner of the Keene House could acquire the proposed tract of land on Sandwich Road from the Town, either through a gift, a lease with the Town, or by the Town transferring the land for a nominal sum. All of these options, however, require that the Town initially take ownership of the Keene House.

Not only did this option require zoning variances, but in addition, neither the Town nor BSHP, whose property abuts the Town-owned parcel, are in a position to take immediate ownership of

the house. In light of these voiced concerns, BHC concluded that moving the house to the Town-owned parcel is also not a viable option.

As a third option, BHC, the Town Representative, and BHS discussed the possibility that BHS would acquire the house and move it to its campus at the Aptucxet Trading Post Museum. BHS raised this option with its Board at its February Board Meeting and in subsequent communications. On February 27, 2023, the BHS Board voted to (1) support the preservation of the Perry-Ellis-Keene House; (2) apply for Community Preservation Act funding; (3) if approved for funding, take ownership of the house, move the house, re-site the house, and begin the process of restoring the house; and (4) assume responsibility for ongoing administration and maintenance of the house. The Board's resolution is contingent upon the owner's agreement, the positive vote of its entire membership (scheduled for March 25, 2023) and approval of this funding application.

In the Applicants' view the following issues remain outstanding, including:

- Written commitment by the property owner;
- Approval of the Board's resolution by BHS's members;
- Approval of this application by CPC and at Town Meeting;
- Site visit with the mover and inspection by BHS;

While there is yet to be a formal inspection of the house by a certified structural engineer, the owners did arrange for an inspector to assess the current state of the structure. A site visit with the mover will be needed prior to receiving the final estimate for the move.

### **CREDENTIALS AND SUCCESS FACTORS**

The Applicant has experience moving, preserving, and maintaining historic structures. As a non-profit with a Mission to preserve, protect, present and promote the history of Bourne, the Bourne Historical Society is uniquely qualified to take over the moving and preservation of this important historic house. The Society has a proven track record of successfully moving and preserving historic structures, having already moved three such buildings to the grounds of Aptucxet - the Gray Gables Railroad Station, Joseph Jefferson Windmill, and Sagamore Information Booth.

Furthermore, the Society has preserved and promoted the cultural heritage of Bourne through the Aptucxet Trading Post Museum and since 1930. The Society also has strong connections to the local community, with many residents recognizing the importance of preserving historic landmarks. Supporting the Bourne Historical Society application that this historic house will be moved and preserved with the utmost care and attention to detail, safeguarding its significance for future generations.

### **BUDGET AND OTHER FUNDING**

Funding from this revised CPA application would be used, among other things, to:

- Hire and pay a project manager, if necessary;
- Hire and pay a certified structural engineer, if necessary;
- Pay costs associated with transfer of the ownership of the house, namely associated legal, filing and permitting costs;

- Prepare the new site, including if necessary, conducting a survey, laying a foundation, running electrical lines;
- Moving the house; including obtaining any necessary permits; and
- Begin exterior restoration and preservation

It is expected that additional preservation work, if needed in the future, can be funded by CPA funds, private fund raising, and grants from various federal, State and regional sources, including: Mass. Historic Commission's Mass. Preservation Projects Fund (MPFF), Preservation Mass's Historic Preservation Matching Grants, and National Trust Preservation Funds.

## **MAINTENANCE**

BHS intends to assume future maintenance and administration of the Perry-Ellis-Keene house.

## **SUCCESS**

The success of this project is easily measured: will the house survive?

*If this funding application is denied, the house will be torn down and the Town will have failed in its efforts to preserve this historic structure for future generations; thus, losing a unique link to our past.*





## APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to: Community Preservation Committee  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, MA 02532

Name of Applicant Veterans of Foreign Wars (VFW) Aptuxet Post # 5988 Assn Inc. **AMENDED March 2, 2023**

Name of Co-Applicant, if applicable Bourne Historical Commission (BHC)

Contact Name Mary Gilmetti, Post Manager; Charles Roth, Post Commander; and Carl Georgeson, Chair BHC

Mailing Address [REDACTED] City Bourne State MA Zip 02532

Daytime Phone [REDACTED] Email [REDACTED]

Name of Proposal Preservation of Cape Cod Chamber of Commerce Information Booth for Bourne by the VFW

Address of Proposal 180 Shore Road, Bourne, MA 02532

Assessors Map 26.2 Parcel 73-1

CPA Category (circle all that apply): ☐ Open Space ☒ Historic Preservation ☐ Recreation ☐ Community Housing

CPA Funding Requested \$45,000 Total Cost of Proposed Project \$45,000

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

- **Goals:** What are the goals of the proposed project?
- **Community Need:** Why is this project needed? Does it address needs identified in the current Local Comprehensive Plan?
- **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.
- **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?
- **Credentials:** How will the experience of the applicant contribute to the success of this project?
- **Success Factors:** How will the success of this project be measures? Be as specific as possible.
- **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of Expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)
- **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project. Maintenance: If ongoing maintenance is required for your project, how will it be funded?
- **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

## General Selection Rating Criteria

The project must meet all the legal criteria of the Community Preservation Act. The project must be well documented and provide sufficient information to be feasible. The following criteria will be considered as the project is evaluated. However, meeting all of the criteria does not guarantee CPC support for the project. (Score each question as follows: Y for Yes, N for No, N/A for Does Not Apply. Scores will be totaled and averaged by the number of rating members)

- NO 1) Does the project have other sources of funding? If so, indicate percentage.
- YES 2) Does the project require urgent attention?
- N/A 3) Does the project serve a currently underserved population?
- YES 4) Does the project preserve a threatened resource?
- N/A 5) Is the project consistent with existing Bourne Planning Documents such as the Local Comprehensive Plan or Open Space Plan?
- N/A 6) Does the project fit within the current or already proposed zoning regulations?
- YES 7) Does the project have a means of support for maintenance and upkeep?
- NO 8) Does the project involve currently owned municipal assets?
- NO 9) Does the project have two other sources of funding?
- NO 10) Does the project have more than two other sources of funding?
- NO 11) Does the project involve two core concerns of the CPA?
- NO 12) Does the project involve all three-core concerns of the CPA?
- YES 13) Does the project have community support?
- YES 14) Does the project have sufficient supporting documentation?
- YES 15) Does the project have support from another Board or Committee?
- YES 16) Does the project provide a positive impact to the community?
- N/A 17) Does the project have the support of the majority of immediate abutter?

## Historic Preservation Selection Criteria

Check each line as it applies:

- NO 1) Is the building on the National Register of Historic Places?
- NO 2) Is the property eligible for listing on the National Register of Historic Places?
- NO 3) Is the property on the State Historic Register?
- NO 4) Is the property eligible for listing on the State Historic Register?
- NO 5) Has the property been included in the local Survey of Historic Properties?
- YES 6) Is the property in danger of being demolished?
- NO 7) Are there potential archeological artifacts at the site?
- YES 8) Has the property been noted in published histories of the town or county?
- YES 9) Is there a realistic chance of restoring the property?
- YES 10) Are there other potential uses for the property, which could benefit the town?
- NO 11) Could the building be converted for affordable housing use while still retaining its historic quality?
- NO 12) Is the property part of a historic area or district in the town?
- NO 13) Is the owner also interested in preserving the historic integrity of the property?
- N/A 14) Is there an opportunity for other matching funding to preserve the property? Explain?
- YES 15) Are there any particularly important historic aspects about the property?
- YES 16) Did the property ever plan a documented role in the history of the town?



## **Cape Cod Chamber of Commerce Information Booth @ Bourne Circle**

An article that appeared in the August 15, 1929 issue of the Hyannis Patriots is the source of our documentation on the CCCC Information Booth. The booths were opened on June 15, 1929, one in Sagamore and the other in Bourne not far from the bridges over the Cape Cod Canal. The article stated, "They are typical Cape Cod cottages and are very attractive in appearance. They were built and donated by three large Cape lumber concerns, the Nickerson Lumber Company, the John Hinckley & Son Company in Hyannis and Yarmouthport, and the Wood Lumber Company in Falmouth. The style of the booths is one familiar to all who know Cape Cod. They have shingled exteriors, white and green trimming with window boxes and blinds".

At the Bourne booth "David Crocker and Frederick T. Organ alternated in dispersing information". During the first two months they were opened 15 to 20 thousand persons were aided. Many of those aided, "either upon arriving at their destination on the Cape, or at their homes far away, write back to the Chamber of Commerce, to express the appreciation of the service rendered at the booths of the organization. Practically all say they found the accommodations or the routes suggested by the attendants surpassing even what was promised would be found."

The article concludes with this paragraph, "The Cape Cod Chamber of Commerce booths have not only benefited the many thousands of tourists coming here this summer, and the Cape itself, but have enabled the Chamber of Commerce to gather information as to the needs of the summer visitors and what they wish to see, visit, and do. The booths will undoubtedly be a permanent fixture in coming seasons."

The information booths ceased operations sometime around the turn of the 21<sup>st</sup> century, and the Bourne booth was last used as a rental shop for water sports, until Cumberland Farms purchased it and neighboring buildings on October 7, 2021 for their new super gas station. Cumberland filed for a Demolition Permit on December 13, 2022. An eight-month Demolition Delay Order was placed on the building at the Demo Delay Hearing held on January 24, 2023.

Since it became clear that the CCCCIB @ Bourne would be demolished to make room for the new gas station, a small group of concerned citizens have been very active and vocal in their efforts to preserve the structure. At one point the Historical Society was interested, but last October they advised Cumberland Farms that they were no longer interested (copy of email attached). There has been considerable press to preserve the structure (copy of Enterprise Editorial attached), but as late as Jan 16th, there was no one interested.

Then on Tuesday, Jan 17<sup>th</sup> the manager of the VFW, Mary Gilmetti, with the support of the Post Commander, Charles Roth, approached the Chair of the Bourne Historical Commission and said they would like to take ownership of the building. They plan to move it to their site at 180 Shore Road, renovate the building and use it as a Thrift Shop to raise monies to benefit local Veterans in need.

We are requesting \$45,000 in funding to move, site and renovate the building: \$10k to move, \$3k to site (probably on cinder blocks), \$22k to renovate, and a \$10k contingency allowance.

Although we have a preliminary estimate from Sylvester Moving, Falmouth to load it on a trailer for \$5,000, we are budgeting \$10k for the entire move, including necessary permits and fees.

Working with Dre Boyar of Boyar Carpentry, West Barnstable we have determined the following renovations need to be made to the structure:

- Remove side wall on gable ends and back of booth.
- Repaper/ waterproof and install new cedar shingles
- Remove old windows - install new windows
- Water proof, insulate and trim new windows
- Demo all interior walls and ceilings "to the studs"
- Remove any and all old insulation
- Reinsulate walls and rafters
- Sheet rock interior walls and rafters
- Mud Sheetrock (paint ready)
- Interior trim - all new trim for windows and baseboard
- Having a dumpster on site

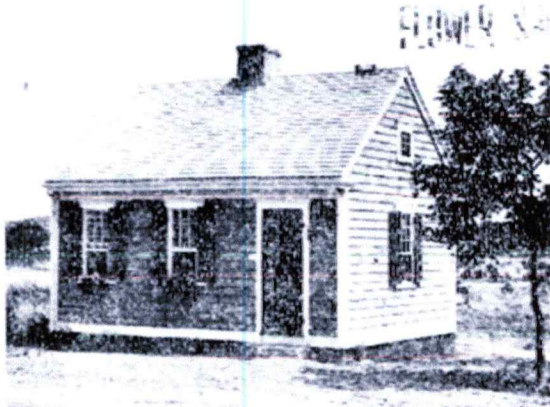
In addition, we have received a generous offer from a licensed electrician to do the necessary interior wiring at no cost to the VFW.



## Preservation, Not Demolition, For Information Booth - Editorial

Dec 9, 2022

Home / Bourne / Bourne Opinion



Cape Cod Chamber of Commerce Information Booths Serving Thousands This Season

A picture of the booth from an article in the Hyannis Patriot dated August 15, 1929.

COURTESY JACK MACDONALD

Last week, we ran an article on the small building that is in danger of demolition at 6 MacArthur Boulevard to make way for the new Cumberland Farms. Lifelong Bourne resident and preservationist Jack MacDonald had informed the Enterprise of the removal of windows from

Image - Tarmis

So, what's the holdup? Where is the transparency on this issue, and why has this building not been granted the grace of a demolition delay review from the historic commission, especially now that it is confirmed to be one of the chamber's two information booths? It's impossible to deny the identical features of the building as it stands now, and as it was depicted in the 1929 photograph printed in the Hyannis Patriot.

Without preservation efforts from local history buffs like Mr. MacDonald and the commission headed by Mr. Georgeson, the once-charming features that kept vacationers tethered to Cape Cod year after year, generation after generation, can and will be quietly dismantled, swept under the rug and forgotten about. The community has a choice here: to step up and preserve what was once thought of as a gem of the region, or to turn a blind eye and let it, too, be commercialized and gentrified into another corporate-run convenience store. The ball is in the town's court, and we hope it takes the initiative to jump into the game.

### MORE INFORMATION



Fate Of Visitor Information Booth In Bourne Remains Undecided

structure—allegedly done so as an asbestos treatment, albeit without proper permitting from town boards—that left the building exposed to the elements and in a state of even further disrepair. In the article, we were trepidatious regarding the building's historic status, as we struggled to receive official confirmation of the structure's historic value from town officials ahead of deadline. Following publication, however, we spoke with both Mr. MacDonald and Carl Georgeson, chairman of the Bourne Historic Commission, and no longer have doubts regarding whether this building has historic value. We feel confident in saying that it is indeed a historic structure, and one worth saving at that.

Any initial speculation about the historic nature of the building should be put to rest following the uncovering of an August 15, 1929, article from the Hyannis Patriot, which introduces the two Cape Cod Chamber of Commerce information booths that had opened two months prior. One was stationed in Sagamore and the other in Buzzards Bay, it reads, and between 3,000 and 5,000 tourists would stop in weekly, looking for directions, local attractions or just general information about the region.

Mr. MacDonald and Mr. Georgeson each shared the archived Patriot article with the Enterprise this week, with Mr. Georgeson further confirming that this building is, in fact, one of the original two information booths erected by the Cape Cod Chamber of Commerce nearly 100 years ago. (The booth from Sagamore has since been renovated and now serves as the gift shop at Aptuckset.)

Additional reporting from the Cape Cod Times on Mr. MacDonald's efforts to save the building revealed new information, including Cumberland Farms' pulling of permits to demolish the building just last month. Bourne Building Inspector Kenneth Murphy told the Times that he expects results as soon as Friday, December 9, and, if asbestos is detected, demolition could happen even sooner. Furthermore, Mr. Murphy told the Times that the building could be demolished regardless of its age due to its small size. The Times reported Mr. Georgeson as saying "that's news to me," and we, too, are a bit taken aback by this information. Demolition by any means would be unfortunate, we believe, as the building has yet to undergo the demolition delay review process required by the town's bylaw of the same name on all properties older than 75 years.

Per Mr. Georgeson, the Bourne Planning Board is responsible for notifying the historic commission to trigger a formal demolition delay hearing, but members of the planning department have not responded to Enterprise inquires about the structure or its stance on the historic status of it. This is worrisome for Mr. MacDonald, who fears that demolition of the structure will happen before a hearing can even be initiated.



[https://www.cape-news.net/bourne/news/fate-of-visitor-information-booth-in-bourne-remains-undecided/article\\_456140ac-f40f-53e8-8a3b-c704f291785e.html](https://www.cape-news.net/bourne/news/fate-of-visitor-information-booth-in-bourne-remains-undecided/article_456140ac-f40f-53e8-8a3b-c704f291785e.html)

## Fate Of Visitor Information Booth In Bourne Remains Undecided

By MICHAEL J. RAUSCH  
Dec 23, 2022

Home / Bourne / Bourne News



The historic information booth at MacArthur Boulevard is now surrounded by orange barrels.  
COURTESY JACK MACDONALD

Privacy - Terms

according to a 1929 article from the Hyannis Patriot, served between 3,000 and 5,000 tourists who would stop in weekly, looking for directions, local attractions or just general information about the region.

As of December 13, Ms. McCollem said, three separate permit applications had been finalized, including an application for the information booth. The applications to demolish the strip mall and the outbuilding have been approved, she said. At this point, she said, the planning office is working with the Bourne Historical Commission on scheduling a public hearing to determine what happens to the booth.

"A public hearing will be held," she said. "It's clearly within the historical commission's jurisdiction, and they need to let their process go and render their decision, [whether] a delay is imposed or not."

That hearing has since been scheduled for January 10 at 10 AM at the Bourne Historical Center, located at 30 Keene Street. The meeting will also be accessible via Zoom, with log-in information to be posted no less than 48 hours prior to the meeting.

The new Cumberland Farms will be located at 4-6 MacArthur Boulevard, just off the Bourne Bridge Rotary. The company plans to build an 8,153-square-foot convenience store along with 10 canopied gasoline islands holding 20 gas pump stations.

Included in the store building will be a Burger King with drive-thru service. There will also be restaurant space to be operated by Cumberland Farms with a total of 54 seats—26 inside and 28 on an outdoor patio.

The complex will include a one-way-only exit from the property onto the southbound side of MacArthur Boulevard, with no reentry into the rotary. Two existing curb cuts will be removed, one close to the intersection of Trowbridge Road with the rotary and the other where traffic maneuvers to go south on the highway.

They would be replaced with a single curb cut, providing only entrance to and no exit from the new station. Cumberland Farms would also take down its own convenience store and gas pumps at neighboring 4 MacArthur Boulevard.

**MORE INFORMATION**

The visitor information booth that sits atop MacArthur Boulevard just past the Bourne Bridge Rotary will have its fate decided at an upcoming meeting of the Bourne Historical Commission. For the time being, however, plans for the structure's demolition are on hold.

Bourne Town Administrator Marlene V. McCollem told the Bourne Select Board on Tuesday, December 20, that a permit to have the building demolished has not been issued. Demolition of the information booth is part of the plan to construct a new Cumberland Farms on the southbound side of MacArthur Boulevard, just past the rotary.

Ms. McCollem explained to the select board that Cumberland Farms initially applied for a demolition permit for the entire site where the new gas station/convenience store is to be built. The permit included the strip mall, the visitor information booth and another outbuilding, Ms. McCollem said. However, the company was supposed to apply for separate permits for each structure, she said.

"We had to work with the applicant to have them split up their application request and have them treat the structures separately, so they can be put on different tracks," Ms. McCollem said.

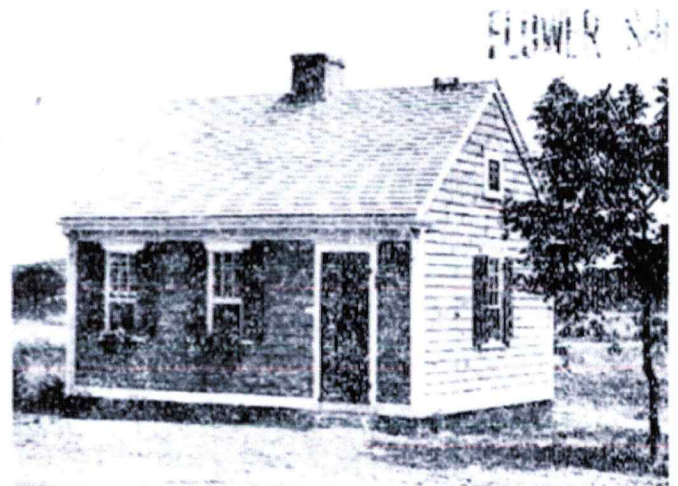
While that process was underway, she said, Bourne Building Inspector Kenneth Murphy did allow the company to move forward with testing the information booth for hazardous materials, such as asbestos and lead paint. A window sash was removed and sent for testing, Ms. McCollem said.

"Prior to any demolition permit being issued, any asbestos and lead paint need to be tested for, and if it's found, it needs to be abated properly," she said.

In an email to the Enterprise, Bourne resident Jack MacDonald, a history buff and preservationist, alleged that the visitor booth's windows had been removed without a permit or approval from the Bourne Historical Commission.

Tuesday night, Ms. McCollem admitted there was "some confusion" regarding what was happening with the booth, but she was convinced that Mr. Murphy treated the project "consistently and fairly along with other demolition permits."

Mr. MacDonald has been zealous in his efforts to preserve the building, hoping to save it prior to Cumberland Farms' breaking ground. His claim that the booth dates back to the early 1900s has since been confirmed by historic evidence and Bourne Historical Commission Chairman Carl Georgeson. It served as a visitors information center for the Cape Cod Chamber of Commerce and,



Cape Cod Chamber of Commerce Information Booths Serving Thousands  
This Season



### Preservation, Not Demolition, For Information Booth - Editorial

Bourne Historical Commission Meeting Brought To Abrupt End



## VFW Offers To Take Possession Of Historic Info Booth

By MICHAEL J. RAUSCH  
Jan 25, 2023

Home / Bourne / Bourne News



The historic information booth at MacArthur Boulevard is now surrounded by orange barrels.  
COURTESY JACK MACDONALD

Plans are underway for salvaging the historic visitor information booth that sits on the site of a be-built Cumberland Farms gas station and convenience store on MacArthur Boulevard.

Ellen Briggs of the Chatham-based group Protect Our Past expressed similar thoughts. Ms. Briggs said she has been following closely the news regarding the information booth and congratulated the town and the VFW on reaching "a good solution to save this historic building that is very meaningful to the Town of Bourne."

Bourne Select Board member Melissa A. Ferretti gave kudos to both the historical commission and Cumberland Farms for working together on preserving the town's past. Ms. Ferretti lent her voice to the chorus of those who objected to the booth often being referred to as a shed. She said in her research of the structure there was no mention anywhere of it being labeled a shed.

"It is an historic structure," she said, "and it should be afforded the decency and the dignity that it does deserve."

Demolition of the information booth had been part of the plan to construct a new Cumberland Farms at 4-6 MacArthur Boulevard, on the southbound side of MacArthur Boulevard, just off the Bourne Rotary. The company plans to build an 8,153-square-foot convenience store along with 10 canopied gasoline islands holding 20 gas pump stations. Construction involves razing the row of abandoned buildings on the site, including the booth.

Uncertainty surrounding the information booth and its historic significance led to a cease and desist order being issued by Bourne Building Inspector Kenneth Murphy before it could be demolished. It has been closed off by orange cones and chain-link fencing pending a decision on its fate, which has also delayed the start of construction on the new gas station/convenience store complex.

Mr. Georgeson suggested the booth be placed on a flatbed truck and moved somewhere off site, which would allow Cumberland Farms to proceed with construction. Mr. Troyer said the company preferred to move the structure just once and is willing to wait until all permitting and funding is in place.

"We'd rather not run the risk of doing something further to it," he said.

Mr. Troyer added that the company has spent a considerable amount of money to date preparing the site for construction and "would like to avoid additional expense." He said the company preferred to abide by a delay "and try to get this done the right way."

A motion was made and unanimously approved to delay demolition of the information booth for eight months until the commission's meeting on September 26.

Bourne Veterans of Foreign Wars Post 5988 has offered to work with Cumberland Farms and the Bourne Historical Commission to move the structure to the VFW's property on Shore Road.

The announcement came during the historical commission's meeting on Tuesday, January 24. Commission chairman Carl Georgeson said the manager of Post 5988, Mary Gilmetti, approached him last week and said the VFW would be interested in moving the booth to its site for use as a thrift shop.

Mr. Georgeson said he has already submitted an application to the Bourne Community Preservation Committee for Community Preservation Act funds to cover the cost of the move and renovation of the structure. News of the proposal to move the booth to the VFW was greeted with delight.

Douglas C. Troyer, attorney for Cumberland Farms, said moving the booth to the VFW property "not only bolsters Bourne but also bolsters the ability to preserve a historic structure to be utilized in the future as something."

"Hooray," local historian and preservationist John L. (Jack) MacDonald said. "I'm here today, wishing for a win-win-win, and I just heard it. I'm so excited, this booth gets another lease on life."

Mr. MacDonald has claimed the building dates to the early 1900s. Back then, his research suggests, it might have been located along the railyard in Buzzards Bay and later functioned as a Cape Cod Chamber of Commerce visitor information booth.

A photo of Buzzards Bay dated October 1909 shows the railyard. Mr. MacDonald has claimed a small building in the photo, located in front of the depot, was the ticket agent office and might have eventually become the visitor information booth. Mr. MacDonald has said he does not claim the photo is "proof" of the booth existing in 1909, but rather it is evidence he discovered while doing historical research and presented for consideration.

"So glad you're talking to the VFW," Mr. MacDonald said to the commission members. "What a great potential new chapter for this house."

Historical commission member Judith A. Riordan said there were two visitor information booths, one in Buzzards Bay and another in Sagamore. The Sagamore booth, Ms. Riordan said, is now a gift shop on the grounds of Aptucxet Trading Post. The one on MacArthur Boulevard, she said, could serve a very similar function for the VFW.

In an email after the meeting, Mr. Georgeson said the VFW is the applicant to the CPC, with the historical commission serving as co-applicant. He said the request is for \$25,000 in CPA funds, but they still have to engage a contractor and firm up costs, so that figure might change before the Town Meeting warrant is finalized.

## Board of Selectmen/Sewer Commissioners Rules of Procedure

DRAFT v.1

### II. Procedure for Establishing Policies and Procedures

Adoption of new policies or changing existing policies regarding general town government is a responsibility of the ~~Board of Selectmen~~ **Select Board** ("the Board"). Policies will be adopted/amended only by the affirmative vote of a majority of members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and thus to provide an opportunity for interested parties to react to proposed policies and to provide amendments **for consideration during a Board meeting.** ~~will be presented as an agenda item to the Board in the following sequence:~~

The sequence of steps would be included as applicable:

1. The Board shall meet once annually, preferably during or shortly after the annual retreat, to review input from the Town Administrator, the list of policies on record and to add any policies which might need to be written. This meeting shall result in a prioritization of policies requiring amendments or to be written. The exercise needs to include who has the lead responsibility (Board or Town Administrator), the documented speculation of the time involved to complete the work understanding that the process is dynamic and additional priorities may arise throughout the year.
2. The Chair will add each policy as appropriate to an agenda for initial review of what is currently on record and to deliberate about any changes or key factors to be added to the policy. The lead (Board member or Town Administrator) will be identified and determination of the need for a working group or sub-committee will occur. A timeline for presentation of the First Reading will be identified.
3. The lead person will ensure that the First Reading draft is available at least a week prior to the scheduled meeting and that all 'interested parties' are notified about the meeting time, date, and location and is provided the draft.
4. The lead person will share the process for feedback and creation of the Second Reading draft. The Board will deliberate and come to a consensus regarding the process.
5. Town Counsel will be given the Second Reading draft for review and general input.
6. Second Reading and Final Reading meetings will repeat steps 3 and 4 with Town Counsel involvement during the writing of the Final Reading draft and prior to the Board vote.
- ~~7. Information item — distributed with agenda and to Town Counsel~~
- ~~8. Discussion item — first reading of proposed policy or policies~~
- ~~9. Response from the Town Administrator: report from any committee with responsibility in the area addressed by the proposed policy; public discussion; Board discussion and directions for any redrafting~~
- ~~10. Action, which may include further discussion, adoption, rejection, may be taken at the discussion at the second reading, or at a subsequent meeting.~~

~~11. Town Counsel review prior to final reading.~~

The Chair of the Board will include "Policy Updates" at least quarterly as an agenda topic and/or workshop.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs.

The Board ~~of Selectmen~~ may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the Board. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation. The Board may divert from policy by super majority\* vote of the members present.

*\*A "super majority" of a five member board is 4 of 5 people; 4 of 4 people; 3 of 3 people.*



## VIII. Correspondence

Correspondence to the Select Board falls in two categories:

- 1) Writing to or emailing the full Select Board on an issue you want the Select Board to address publicly.
- 2) Writing to or emailing an individual member or the Chair asking for assistance with an issue or concern.

The email address for the full Select Board and email addresses for individual members are available on the Select Board page on the town website.

There will be an agenda item at each Select Board meeting to notify the public of correspondence received by the full Select Board.

Correspondences may include, but are not limited to, the following:

- A. Communications from town, state, or federal agencies.
- B. Communications from town committees or boards.
- C. Announcements of non-profit events.
- D. Letters from the public addressed to the Select Board or emails directed to the Selectboard at [Selectmen@townofbourne.com](mailto:Selectmen@townofbourne.com)
- E. Communications to the Select Board as cc will not be included in correspondence but will be provided to Select Board members.

Correspondence to the Select Board can be mailed to:

Select Board  
Town of Bourne  
24 Perry Avenue  
Buzzards Bay, Ma 02532

Or emailed to [Selectmen@townofbourne.com](mailto:Selectmen@townofbourne.com)

Citizen Emails to individual Select Board members will not be included in correspondence and citizen emails to the Select Board Chair or the Town Administrator may or may not be distributed to all members of the Board or included in the correspondence agenda item. Any communication that is intended to go to the full board should be sent to either by mail to the Select Board or to the Select Board email address [Selectmen@townofbourne.com](mailto:Selectmen@townofbourne.com).

Correspondence received by the Select Board before the Thursday prior to the next Tuesday Select Board business meeting will be included as correspondence on the agenda unless there is an exception to public records applicability.

Correspondence to the Select Board should include the name and address of the writer. Anonymous correspondence with no name and address will not be responded to or included in the correspondence agenda item.

Correspondence deemed to be public record will be available in hard copy form and on the town website in the applicable agenda packet.

Correspondence that requires immediate action of the Board will be taken up at the next scheduled meeting.

Correspondence that requires further discussion and deliberation will be placed as a regular item on the next available meeting agenda at the request of the proponent or a member of the Board.

#### **PUBLIC RECORDS APPLICABILITY**

It must be understood that written or email correspondence related to the activity of a public body or municipal employee is deemed a public record under the law and is subject to disclosure to the press and to private individuals upon request. The term "public records" is defined by statute to include all documentary materials or data, regardless of physical form or characteristics, made or received by an officer or employee of any agency or municipality of the Commonwealth, unless falling within a statutory exemption (M.G.L. C.4, S.7). Therefore, the Secretary of the Commonwealth advises that the Public Records Law clearly applies to government records generated or received electronically. All electronic mail sent, and all electronic mail received by principal addressees (not received as a "cc") at a Town-issued address, or any address when in an official capacity, should be considered a public record subject to inspection and disclosure and scheduled retention and disposition. Employees, committee members acting in their official capacity and the public emailing to employees or committee members should have no expectation of privacy in their use of electronic mail.

#### **EXCEPTIONS TO PUBLIC RECORD APPLICABILITY**

Items of correspondence to the Select Board that are exempt from public disclosure pursuant to the Public Records Law (Chapter 4, Section 7 of the Massachusetts General Laws), or relate to subject matters that qualify for an executive session under the Open Meeting Law (Chapter 30A, Sections 18-25 of the Massachusetts General Laws ) will be marked "Confidential Correspondence" and will not be subject to review in public session, unless it coincides with an agenda item.

## **XII. Certificates of Vote (new section)**

Certificates of vote shall be prepared for filing with the Town Clerk in the following cases:

1. When formal action of the Board needs to be communicated to an agency and there is no other documentation generated as part of the proceedings (i.e. if the Town Administrator has been authorized to sign a contract or document on behalf of the Select Board).
2. The recession/removal of any policy.
3. To set the dates on which to open and close Town Meeting Warrants.
4. To reduce or increase the number of members on a committee.
5. To revoke the authority of an Acting Town Administrator.
6. Upon request of the Town Clerk.

Furthermore, unless specifically limited by the Select Board, the Town Administrator is authorized to use the Board Member's signature stamps when preparing Certificates of Votes.

**Select Board**  
**Minutes of Tuesday, March 7, 2023**  
**Bourne Veterans' Community Center – Rm 2**  
**Buzzards Bay, MA**  
**Or Virtually**

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**TA Marlene McCollem**

**Select Board**

Peter Meier, Chair

Jared MacDonald, Vice Chair (remote)

Melissa Ferretti, Clerk

Judith Froman

Mary Jane Mastrangelo

Others: Michael Rausch, Andy Driscoll, Tim Lydon, State Senator Susan Moran, State Representative David Vieira, Sheriff Donna Buckley (7:40), Mark Forest, Chairman of the County Board of Commissioners, Jim Cantwell, State Director for Senator Ed Markey, Ben Thomas, Regional Director for Senator Ed Markey, Nikko Mendoza, State Director, Senator Elizabeth Warren, Caleb White, Regional Director for the Southcoast and the Cape and Islands for Senator Elizabeth Warren, Mike Jackman, District Director for Congressman William Keating, Tom Cahir, CCRTA, State Representative Steven Xiarhos, (7:11), George Slade, County Assembly, Jeanne Azarovitz (remote), John York, Phil Goddard, Kathy Fox Alfano, David McPherson, Nate Robinson, Patrick Scanlan, and Stephanie Fitch, Conservation Commission.

*The Zoom Chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being recorded for live broadcast and televised replay by Bourne TV. If anyone is audio or visual recording, please acknowledge it at this time.*

Michael Rausch, Bourne Enterprise, acknowledged that he was recording the meeting.

If anyone from the public wishes to access the meeting, they can do so by calling the following conference line: **1-929-205-6099**.

**Zoom Meeting/Call in ID: 869 5775 5505      Password : BOURNE**

All items within the meeting agenda are subject to deliberation and vote(s) by the Select Board.

**7:00 PM Call Public Session to Order in Open Session**

- 1. Moment of Silence to recognize our Troops and our public safety personnel.**
- 2. Salute to the Flag.**
- 3. Vision:** Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal

areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

4. **Mission:** Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable, and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.
5. **Public Comment on Non-Agenda Items** – Public Comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.

Andy Driscoll of Inebri-Art said that his company specializes in presenting events, and they are going to be launching the Buzzards Bay Farmer's Market. He said that he would like to invite the Select Board and everyone that is at the meeting to the market. He said that the Farmer's Market will start April 5<sup>th</sup> and will happen every Wednesday from Noon to 7 PM., until September, and will be held at the Buzzards Bay Park.

#### 6. Select Board's Business

- a. **Senator Markey, Congressman William Keating, State Senator Susan Moran, State Representative David Vieira, State Representative Steven Xiarhos, Sheriff Buckley, and District Attorney Galibois are invited guests to the meeting. Our Federal, State and County delegation will report on pertinent issues to the community.**

Chair Meier said that this is the yearly legislative delegation. He asked all the officials to introduce themselves and said that they would start the presentations with State Senator Susan Moran.

State Senator Susan Moran started her presentation by talking about housing. She said that she and her staff have been contacting the Towns to see what they need the most regarding needs for housing. She said that they have filed an act to increase affordable housing by adjusting requirements for affordable housing eligibility to include the deduction of family income for any money spent on student loans or childcare. She said there is another bill supporting work force, which would establish a tax credit cap up to \$10,000. for affordable housing contractors to be able to deduct payments to their workers. She said there is a similar bill for seasonal work force and there is a bill to be able to protect affordable housing stock, and if voted it would grant a tax on revenue generated on short term rentals that would put money back into each Town's affordable housing trust fund.

Ms. Moran then talked about the Title 5 compliance issue with the technology and timing issues. She also talked about Chapter 90 and a meeting that she attended earlier in which many communities were asking for an increase in funding from the Transportation Committee. She next talked about the bridges and said that she has seen many representatives from Bourne reaching out to Boston and she said that the communication needs to continue. She said that the replacement of the bridges is recognized at the Statehouse. She said that the cost to replace the 2 bridges and the road work will most likely be over 4 billion dollars. She said that this past



January, Federal DOT awarded 1.6 million in a bridge planning grant to the Army Corps of Engineers. She said that MassDOT has spent 25 million dollars in state funds on the project including the canal transportation study, the field service, mapping, pilot borings and geophysical explorations, traffic data collection, environmental coordination, and conceptual engineering.

Ms. Moran ended her presentation by talking about remote meetings. She said that Senate Legislation will be taken up later this week that allows towns to continue remote meetings until March 31<sup>st</sup>, 2025.

State Representative David Vieira said that regarding the bridges that the State had initially put the money in a bond bill for the approaches and the work that is required from the Commonwealth to get people to the bridges. Mr. Vieira said that Bourne needs to be included every step of the way. Mr. Vieira also talked briefly about the Bourne Rail Trail and about the Cape Cod Chamber of Commerce building. He also talked about the fact that local aid is down a bit, but the two appropriated line items that have been proposed by the Healy Administration, and are before the legislation now, are Chapter 70 and Discretionary Local Aid.

State Representative Steven Xiarhos started his presentation saying that it means a lot to him that at the start of Bourne's Select Board meetings there is a moment of silence to recognize our troops and public safety personnel. Mr. Xiarhos said he is a gold star father, a former police officer, and the father of a police officer. Mr. Xiarhos talked about the many committees that he is on and some of the bills that he is involved with. He said that there is an act to create a municipal and public safety building authority and there is another bill for pesticides.

Mike Jackman, District Director for Congressman William Keating, said he mainly wanted to talk about the bridges. He said that from Congressman Keating's perspective that it is the most important infrastructure project in Massachusetts that we will see in this generation. He said that it is very important that Bourne be fully involved in communications of this project. Mr. Jackman talked about funding sources at the federal level. Mr. Jackman also said that the Cape Cod Regional Transit Authority were able to use ARPA funds to move along the Bourne Rail Trail project.

Nikko Mendoza, State Director, Senator Elizabeth Warren, said that Senators Warren and Markey and Congressman Keating are pushing forward with advocating for federal funding for the Cape Cod Canal bridges, and want to make sure that Bourne is fully engaged throughout the whole process. Ms. Mendoza talked about the funding and grant processes and the bipartisan Infrastructure Law. She said that they are, as a delegation, committed to the implementation of not only the Infrastructure Law, but also the Inflation Reduction Act. She said that with this law and act there would be strong funding opportunities that they strongly encourage municipalities to go after.

Ms. Medoza said that a particular priority for Senator Warren is her Childcare for Every Community Act. She said that childcare is infrastructure, and it needs to be more accessible for everybody.

Jim Cantwell, State Director for Senator Ed Markey, spoke about the CARES Act and ARPA funding that Massachusetts has received and about the Bipartisan Infrastructure Bill. Mr. Cantwell read aloud a statement from Senator Markey regarding the bridges. The message from Senator Markey and Mr. Cantwell was to not despair and that there are more rounds of funding possibilities coming for the bridges. Mr. Cantwell said that there will be another meeting regarding the bridges with MassDOT, the Town of Bourne, the Army Corps of Engineers and all from the Massachusetts delegation.

Mark Forest, Chairman of the County Board of Commissioners, said that he is also on the Select Board in Yarmouth and he is also the Chairman of the Cape Cod Conservation District. He said that the Cape Cod Conservation District's job is to bring federal dollars to Cape Cod for coastal restoration initiatives and in order to do that, they work closely with the offices of Congressman Keating, Senator Warren and Senator Markey. Mr. Forest said that last year they brought 42 million dollars of federal money to Cape Cod to do projects in virtually every community.

Mr. Forest said that he works with Judith Froman on the Metropolitan Planning Organization, which is an organization that makes decisions on where to spend transportation dollars. He said that Ms. Froman does a wonderful job representing Bourne at their meetings. He also talked about some of the important initiatives that the County has developed and about the septic test center that is run by the County at Joint Base Cape Cod. He said that the County has also worked with the Army Corps of Engineers regarding dredging.

Sheriff Donna Buckley gave an update on what is happening in the Sheriff's office currently. She said that they are assessing the challenges that they are facing concerning the Barnstable County Jail. She said that all of the jails in Massachusetts are dealing with mental illness, addiction and domestic violence crime. She said that they now have a recovery program coordinator in place in the jail. She talked about her plans while serving as Sheriff.

John York thanked all the delegates for coming to Bourne. He then talked about the money and the communication regarding the bridges. Phil Goddard also thanked the delegation for being at the meeting. Mr. Goddard said regarding the bridges, that they have an opportunity to be more than just infrastructure and there is a cultural aspect that could be incorporated into the planning for education. There was more discussion about the bridges and the process to get them designed and built and about the responses from MassDOT.

Kathy Fox Alfano said that she wanted to hear from the Federal delegates about the possibility of Holtec dumping radioactive waste into the Cape Cod Bay. Mr. Cantwell said that Senator Markey is the Chairman of the committee that oversees nuclear power, and they had a hearing with the staffs of Congressman Keating and Senator Warren, and State Senator Susan Moran testified at the hearing. Mr. Cantwell said that Senator Markey is against any disposal of the waste. He said that there are four options to get rid of the waste and they are: leave it there to decompose overtime, truck it away, allow it to evaporate, and the fourth is to dump it into the bay. He said that at the hearing, the president of Holtec said, under oath, that there would not be a discharge into the ocean unless all of our stewards and participants were in accord. He said that all 3 of these offices have been working very cooperatively and have weighed in very strongly against Holtec dumping the waste into the bay.

Chair Peter Meier asked the delegates to consider making the area around Upper Cape Tech safer while designing the alterations due to the bridge construction due to the accidents and near accidents that happen in that area.

**b. Update on the Bourne Rail Trail and presentation of a Resolution by the Advisory Committee.**

David McPherson introduced himself as the Chairman of the Pedestrian Bicycle Pathway Advisory Committee, which is a committee that is appointed and reports to the Town Administrator. He said that the committee has been at work since 2018 to locate funding for design and construction of the proposed Bourne Rail Trail that would link the Cape Cod Canal to the pathway in Falmouth. He said that have had a lot of success for funding for design work through Mass Trails grants and Community Preservation funding at the Town level.

Mr. McPherson said that design work has been done on 3 of the 4 phases of the project. He said the two major issues that they have found over the years are competition for construction funding and trying to design a pathway such that is could be built along the existing rail line. He said there is opportunity for substantial funding for this project through federal stimulus dollars that have been secured by the Cape Cod Regional Transit Authority.

Tom Cahir, Cape Cod Regional Transit Authority Administrator, said that he has watched this process of the Rail Trail for many years and he knows about the challenges as he has worked on similar projects over the years. He explained how the area receives federal funds. He approached the FDA and asked if it would make some sense to help participate financially to help expedite the Rail Trail and the FDA said they encourage bike and pedestrian facilities to be helped by transit authorities if they are near bus stops.

Mr. McPherson talked about fencing and the opposition of the fence. Mary Jane Mastrangelo talked about the idea of rail with trail, and the opposition of it, and about rail to trail. She said that she is totally in support of looking at the options of making this work.

**Voted:** Judith Froman moved, and Mary Jane Mastrangelo seconded the following resolution: Whereas the Town of Bourne recognizes the many aesthetic, economic, safety and social advantages to both its citizens and the broader community of Cape Cod and beyond of having a Rail to Trail pathway dedicated to bicycle and pedestrian use and whereas the Cape Cod Regional Transit Authority has secured federal stimulus funding for the construction of such a Rail to Trail pathway now therefore be it resolved that the Select Board of the Town of Bourne hereby endorses and approves the effort to create a Rail to Trail bicycle and pedestrian pathway in place of the so called Falmouth secondary Rail Line and respectfully requests that the honorable Maura Healey, Governor of the Commonwealth of Massachusetts, take all appropriate measures to ensure construction of said Rail to Trail pathway as expeditiously as possible utilizing federal stimulus funding provided by the Cape Cod Regional Transit Authority.

**Vote:** 4-0-0. Jared MacDonald was excused from the meeting at the time of this vote and was no longer logged into this meeting.



**7. Appointments and Licenses**

- a. Discussion and possible appointment of Patrick Scanlan as an associate member to the Conservation Commission with term ending June 30, 2023.**
- b. Appoint Mr. Dave Wilson as a Special Police Officer.**

**7.a. Discussion and possible appointment of Patrick Scanlan as an associate member to the Conservation Commission with term ending June 30, 2023.**

**Voted:** Judith Froman moved, and Mary Jane Mastrangelo seconded to appoint Mr. Patrick Scanlan as an associate member to the Conservation Commission with a term ending June 30, 2023.

Ms. Mastrangelo asked that regarding the work that Mr. Scanlan does, how does he feel about conservation. Mr. Scanlan said that he has dealt with a lot of Conservation Commissions, and he supports the work of this Conservation Commission.

Stephanie Fitch, Conservation Agent, said that the Conservation Commission is a well-balanced Commission, and they represent all the residents and all of their viewpoints

**Vote:** 4-0-0.

**7.b. Appoint Mr. Dave Wilson as a Special Police Officer.**

**Voted:** Melissa Ferretti moved, and Mary Jane Mastrangelo seconded to appoint Mr. Dave Wilson as a Special Police Officer with a term ending on June 30<sup>th</sup>, 2024.

**Vote:** 4-0-0.

**8. Discussion and possible – process and instrument to be used for the annual evaluation of the Town Administrator.**

Chair Meier said that instruments and forms have been given to all on the Select Board from various sources, and he wanted to know if everyone had a chance to look them over and their thoughts on them. Ms. Froman said that she prefers the one that is from the Town of Westborough, although she thought that the part that says the Assistant Town Manager will solicit and summarize inputs from departments, should be H.R. instead. Ms. Mastrangelo said that the template that Chair Meier had sent out was ok, aside from some duplicates. She also said that she thinks the negotiations between the Select Board and the Town Administrator on the instrument used to evaluate the Town Administrator need to be done in executive session.

It was decided that they will meet in executive session next Tuesday evening at 6:15 PM. Melissa Ferretti added that she thought that some of the information that they were given had too much in them and some not enough. She also said that she agrees that they should have the discussion with Ms.

McCollem in executive session. She also agreed with Ms. Froman about the template from Westborough.

#### **9. Town Administrator report –**

Ms. McCollem wanted to remind everyone that maintenance is scheduled to start on the Sagamore Bridge starting on Monday, with lane restrictions, and will continue until Memorial Day.

She also said that regarding the Governor's budget, Bourne did get the preliminary cherry sheets and it did result in the local budget having a \$50,000. shortfall for the proposed year, FY24. She said that they were waiting for the schools' budgets and got confirmation from Upper Cape Tech that they are \$112,000. short from the estimate that she was holding in the proposed budget. She said that she and the Town Accountant and the Finance Director are working on a plan and will get back to the Select Board on the 28<sup>th</sup> with adjustments, after showing the adjustments to the Finance Committee on the 20<sup>th</sup>. She feels that these shortfalls can be managed without any cuts.

#### **10. Minutes: 1/31/23, 2/7/23**

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the minutes of January 3<sup>rd</sup>, 2023, with one correction as noted.

**Vote:** 4-0-0.

**Voted:** Mary Jane Mastrangelo moved, and Judith Froman seconded to approve the minutes of February 7<sup>th</sup>, 2023, with one correction as noted.

**Vote:** 4-0-0.

#### **11. Correspondence**

Melissa Ferretti read aloud the correspondence:

- 3 DEP letters
- Email from J. York regarding MassDOT project – Canal Area Transportation Improvement.
- Email from F. Chiochowski Jr. requesting appearance before the Board.
- Email from J. MacDonald regarding train station roof.
- Email from J. York regarding grant money available for Canal Area transportation issues.
- Conservation Commission registration – Ligor.
- Email from J. Eccleston regarding Planning Board.
- Email from S. Mealy in support of an additional professional addressing poor water quality.
- Upper Cape Tech Meeting minutes – 1/12/23
- Xfinity Annual Notice
- Talent Bank Form – M.E. Bystrom – Education/Scholarship Committee.
- Talent Bank Form – S. Butler – Conservation Commission.



These are all on the Town's website.

Ms. Mastrangelo said that regarding the email from Steve Mealy, the idea of having a Wastewater Infrastructure Fund is important for Bourne to start pursuing.

## **12. Committee Reports**

Ms. Froman said that they had CCMPO meeting at the end of February and the Cape Cod Canal Bridges Program is a regular agenda item now. She said that some of the items they covered were pavement and bridge condition performance targets, coordinated public transit, the unified planning work program, and low-lying roads.

## **13. Other Business**

There was some discussion about the Board of Health vacancy.

## **14. Upcoming meetings – March 14 (package store hearing & ATM warrant articles)**

Chair Meier said that on March 21<sup>st</sup>, MassDOT will be at the meeting. Also at that meeting, staff will be making a recommendation on swim floats and lifeguard progress.

## **15. Adjourn**

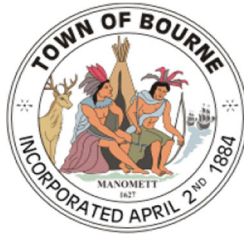
**Voted:** Judith Froman moved, and Melissa Ferretti seconded to adjourn the joint meeting.

**Vote:** 4-0-0.

This joint meeting of the Bourne Select Board was adjourned at 9:48 PM.

Respectfully Submitted,

Kim Johnson, Recording Secretary



## Select Board's Correspondence

March 28, 2023

- A. DEP letter – Draft Community Involvement Plan
- B. DEP letter – Draft L Range Environmental Monitoring Report
- C. Email regarding bridge replacements – B. Kromer
- D. Email regarding rail removal – J. Speers
- E. Talent Bank for BHPC – C. Spilhaus
- F. Abutters Notification – Work at 2 Kendall Rae



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

March 20, 2023

Air Force Civil Engineer Center/JBCC  
Attn: Ms. Rose H. Forbes  
Remediation Program Manager  
322 East Inner Road  
Otis ANG Base, Massachusetts 02542

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0000037  
Joint Base Cape Cod (JBCC)  
**Draft Community Involvement Plan, Draft  
AFCEC Responses to JBCCCT Member  
Comments, Comments**

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the Air Force Civil Engineer Center (AFCEC) responses to Joint Base Cape Cod Cleanup Team (JBCCCT) comments (RTC) dated March 13, 2023, for the document “**Draft Community Involvement Plan**” (the Draft CIP) dated January 2023. The Draft CIP details the types of public involvement activities that will take place to keep the community informed and involved in remedial activities of the Installation Restoration Program at Joint Base Cape Cod. MassDEP has the following comments on the RTC and the Draft CIP.

1. Page 1, Comment Submission #1:

The RTC states the comment from the JBCCCT Member “**In my opinion, the draft is now 71 pages long but could be cut in half. I avoided specific changes because the above comments will give you my big picture reaction(s). If you choose to consider any specific changes, I am more than willing to help but understand if the plan is too far along in the review process to be restarted. Regardless, I am grateful for the opportunity to read the draft and to offer my thoughts. AFCEC Response: AFCEC agrees with rearranging sections to make the CIP more user friendly and to the point, but the current information content will remain. Note the CIP was created with guidance from past AFCEC CIPs, EPA, MassDEP and Air Force Guidance.**” The commenter stated that the Draft CIP is too detailed and complicated and therefore not user friendly for the public and has offered assistance in revising the Draft CIP. MassDEP agrees with the commenter and recommends that the AFCEC accept the offer from the JBCCCT member to assist with a revision of the Draft CIP.

2. Page 5, Comment Submission #2, 1.0 The Superfund Process:

The RTC states the comment from the JBCCCT Member “**The MassDEP is not a signatory to the FFA due to the Commonwealth position for the reservation of state's rights. Per EPA guidance in the January 2016 EPA Community Involvement Handbook, EPA mandates required public participation activities through CERCLA .... Question: If MassDEP is not a signatory to the FFA, does this mean the Commonwealth has no “statutory authority” over any of the process? Is Comm of MA involvement considered to be part of the EPA mandated public participation activities through**

**CERCLA? AFCEC Response:** The MassDEP is not a signatory to the Federal Facilities Agreement, but EPA requests concurrence from MassDEP on decision-making documents in our decision documents. AFCEC and EPA sign the concurrence page and MassDEP's concurrence letter is included in an appendix. State acceptance is also one of the nine criteria evaluated in Feasibility Studies that evaluate remedial alternatives for cleanup. The draft AFCEC CIP was developed with input from both MassDEP and EPA. This text will be added to the CIP."

MassDEP requests that in the AFCEC's text to be added to the CIP, the AFCEC expressly state that MassDEP's involvement not only comes from the state participation required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Superfund Amendment and Restoration Act (SARA) of 1986, and the National Contingency Plan (NCP), but also pursuant to MassDEP's right to provide comments and receive responses as set forth in Paragraph 7.11 of the Federal Facilities Agreement (FFA). MassDEP also takes this opportunity to confirm the Commonwealth's long-standing reservation of rights under M.G.L. c. 21E, the Massachusetts Contingency Plan (MCP), CERCLA, the NCP, the FFA, and any other applicable law, regulation, or other authority to require further response actions including, without limitation, additional investigation, remedial measures, and Land Use Controls to address risks to human health, safety, and the environment at JBCC. MassDEP has long maintained this reservation of rights in concurrence letters and other correspondence for JBCC.

3. Page 6, Comment Submission #2, 2.0 Current IRP and MMRP Status, IRP Groundwater Plumes:

The RTC states the comment from the JBCCCT Member "AFCEC is currently addressing 15 groundwater plumes as of January 2023. Treatment facilities are cleaning approximately eight million gallons of groundwater per day. Good numbers. Graph with some historical context would be nice here. I think it exists somewhere. **AFCEC Response:** Comment noted. There is detailed historical and recent information in AFCEC's 2021 Groundwater Plume Maps Book which can be found at: [https://www.massnationalguard.org/JBCC/afcec-documents/FINAL\\_PLUME\\_BOOKLET\\_High\\_Quality\\_1SEP21-1.pdf](https://www.massnationalguard.org/JBCC/afcec-documents/FINAL_PLUME_BOOKLET_High_Quality_1SEP21-1.pdf)." MassDEP recommends that the AFCEC incorporate some of the requested information from the 2021 Groundwater Plume Maps Book into the Draft CIP text or append the 2021 Groundwater Plume Maps Book to the Draft CIP.

Please incorporate this letter into the Administrative Record for the Installation Restoration Program Community Involvement Program at Joint Base Cape Cod. If you have any questions regarding this letter, please contact me at (508) 946-2871.

Sincerely,



Leonard J. Pinaud, Chief  
Federal Site Management  
Bureau of Waste Site Cleanup

Ec: Upper Cape Select Boards  
Upper Cape Boards of Health  
JBCC Cleanup Team  
MassDEP Boston/Southeast Region



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

March 20, 2023

Impact Area Groundwater Study Program  
ATTN: Mr. Shawn Cody, Program Manager  
1807 West Outer Road  
Camp Edwards, MA 02542

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0015031  
Joint Base Cape Cod (JBCC)  
**Draft L Range Environmental Monitoring  
Report for March 2022 through February  
2023, Comments**

Dear Mr. Cody:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed the document **“Draft L Range Environmental Monitoring Report for March 2022 through February 2023”** (the Report) dated March 2023. The Report presents the results of the L Range groundwater monitoring performed by the Impact Area Groundwater Study Program (IAGWSP) from March 2022 through February 2023, and the L Range groundwater modeling performed during the reporting period.

MassDEP has no comments on the Report.

Please incorporate this letter into the Administrative Record for the Impact Area Groundwater Study Program L Range groundwater. If you have any questions regarding this matter, please contact me at (508) 946-2871 or Elliott Jacobs at (508) 946-2786.

Sincerely,

Leonard J. Pinaud, Chief  
Federal Site Management  
Bureau of Waste Site Cleanup

P/ej

Ec: Upper Cape Select Boards  
Upper Cape Boards of Health  
JBCC Cleanup Team  
MassDEP Boston/Southeast Region



**From:** [Marlene McCollem](#)  
**To:** [Maria Simone](#)  
**Cc:** [Kathleen Thut](#)  
**Subject:** FW: [bournema] Bourne/Sagamore bridge replacement (Sent by Barry L Kromer, cbkromer@yahoo.com)  
**Date:** Thursday, March 23, 2023 8:46:24 AM

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[For next week's correspondence.](#)

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**From:** Melissa Ferretti  
**Sent:** Thursday, March 23, 2023 7:08 AM  
**To:** Marlene McCollem <mmccollem@townofbourne.com>  
**Subject:** FW: [bournema] Bourne/Sagamore bridge replacement (Sent by Barry L Kromer, [REDACTED])

FYI thank you...

*This email is sent to a quorum of the Board. Please **do not** reply all if that is not your intention.*

**Melissa Ferretti**  
**Select Board, Clerk / Sewer Commission**

**Town of Bourne**  
**24 Perry Avenue**  
**Buzzards Bay, MA 02532**

[townofbourne.com](http://townofbourne.com)

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**From:** Contact form at bournema [cmsmailer@civicplus.com]  
**Sent:** Thursday, March 23, 2023 6:52 AM  
**To:** All Selectmen  
**Subject:** [bournema] Bourne/Sagamore bridge replacement (Sent by Barry L Kromer, [REDACTED])

Hello Select Board,

Barry L Kromer [REDACTED] has sent you a message via your contact form (<https://www.townofbourne.com/users/all-selectmen/contact>) at bournema.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofbourne.com/user/396/edit>.

Message:

Good day!

I read the piece in the Cape Cod Times regarding the MassDOT meeting with the Bourne Select Board. I have been questioning the DOT and USACE regarding this "project" for a few months now, and seem to have gotten as far as your board has gotten with answers.

I sympathize with the Board that both the DOT and USACE have not been transparent with this project.

I submit the following questions which you may be able to answer, since those entities have not answered:

1. Did they ever ask the taxpayers what they wanted to replace the bridges?
2. I questioned whether they had considered constructing tunnels, and they answered "too expensive" yet to date no data/costs have been forthcoming. Tunnels would not degrade like bridges and would not be impacted by weather, etc. As an example, Elon Musk's Boring Company built 2 1 1/4 mile tunnels and 3 stations under Las Vegas for 47 million dollars. The DOT/USACE are quoting 4 Billion dollars.(disclaimer-Musk's tunnels are only 12 feet in diameter, so larger equipment would be needed to allow trucks in the tunnels)
3. Did the DOT/USACE consider filling in the canal and just constructing a roadway? This would eliminate the 4 billion dollar price and eliminate this situation in 75 years. The canal did not always exist nor did all the problems that the bridges create.
4. The DOT/USACE argue that the canal provides shipping that lowers the cost of goods including gasoline, however, the question is the why are gas prices higher the minute one travels over the bridges onto the Cape?
5. I questioned what is the DOT/USACE contingency plan in the event that both bridges and the railroad bridge are incapacitated at the same moment, what is the emergency evacuation plan for all the Cape residence. No answer. This would not exist if there was a solid roadway or tunnels.
6. The DOT/USACE have been stating the the bridges( if built ) won't be completed until 2035. Over 10 years away-"IF" they build them? Filling in the canal or boring a tunnel would take 2 years maximum and eliminate all the dancing around that is going on.

It appears that the Cape will get bridges whether they are wanted or not. Is someone's brother-in-law in the bridge business?( Sorry that's a comment I heard from a friend up in Boston)

I appreciate your consideration of my comments to the DOT. Maybe they gave you better answers.

Best regards,

Barry L Kromer



**Maria Simone**

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**From:** Melissa Ferretti  
**Sent:** Sunday, March 19, 2023 10:12 AM  
**To:** Marlene McCollem; Elizabeth Hartsgrove  
**Subject:** FW: [bournema] Bourne Selectman Rail Removal endorsement (Sent by JOHN A SPEERS, [REDACTED])

FYI - I sent an acknowledgement of receipt...

I hope you are having a great weekend!

*This email is sent to a quorum of the Board. Please **do not** reply all if that is not your intention.*

**Melissa Ferretti**  
**Select Board, Clerk / Sewer Commission**

**Town of Bourne**  
**24 Perry Avenue**  
**Buzzards Bay, MA 02532**

[townofbourne.com](http://townofbourne.com)

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**From:** Contact form at bournema [cmsmailer@civicplus.com]  
**Sent:** Sunday, March 19, 2023 8:59 AM  
**To:** All Selectmen  
**Subject:** [bournema] Bourne Selectman Rail Removal endorsement (Sent by JOHN A SPEERS, [REDACTED])

Hello Select Board,

JOHN A SPEERS [REDACTED] has sent you a message via your contact form  
(<https://www.townofbourne.com/users/all-selectmen/contact>) at bournema.

If you don't want to receive such e-mails, you can change your settings at  
<https://www.townofbourne.com/user/396/edit>.

Message:

If you have not already done so read the 3/17/23 Bourne Enterprise Guest Commentary from Mass Coastal RR CEO P. Christopher Podgurski. It pretty much reviews the reality of the issue regarding the removing the RR Tracks to North Falmouth. The Rail with trail can be done utilizing alternate routes when physical / environmental obstacles come into play in the design process. An example of such is the Chatham Cape Cod Rail trail route which follows the original Railroad ROW but takes on alternate routes when physical obstacles came into play such as the Chatham airport, so it goes around it instead. Another example is the Cape Cod Rail trail bike connection under way from Yarmouth to the Canal service road in Sandwich. It was initially proposed in the mid 1990's as a Rail with trail concept as well and studied by the Cape Cod Commission. The conclusion was that it was not viable due to the extensive wetlands along the Rail line requiring expensive bridging to even

possibly address those issues. So, an alternate plan was developed, and it is in various stages of planning / construction. In Sandwich for example the path will run parallel to the service road which is parallel to Route 6 while different areas have other solutions as well. So, to get this Bourne Rail trail done the answer is not to remove the RR Tracks which are needed for JBCC Military STRACNET accessibility, along with the UCCRTS Transfer Station growing operation which benefits the entire Cape. In addition, future passenger rail service will be needed once again as the ever-growing traffic congestion on the Upper Cape continues to increase. The alternate plan for the Bourne Bike path which I commented on to Glenn Cannon of the Cape Cod Commission in the very beginning of the feasibility study was ignored and not included. This resulted in a very narrow focus of what to consider. There are possible alternates such as adding bike lanes to both Shore / County Rds. or just one of those. Then also whenever you run into environmental / physical obstacles with the Rail with trail concept you break off to alternate routes such as bike lanes or other routes along the way. These are the options which must be considered to move forward in constructing a bike connection to North Falmouth. The alternate proposed RR Spur is fiscally irresponsible as well as not connecting to all present users of the Falmouth / Otis line. The spur would have to be a minimum 10 miles to do so and would be easily over \$50 million to construct if not more. So, add that \$50 million on top of the estimated \$20 million for the bike to equal least \$70 million for a starting ballpark figure. The present Rail with trail concept costs / alternatives is peanuts in comparison.

So as Mr. Podurski says in his Bourne Enterprise commentary the BRT / Town of Bourne should stop spinning its wheels on this project and concentrate on the big picture. MassDOT isn't going to remove any tracks after just spending millions of transportation funding in the last 2 years alone in the rehabilitation of the Falmouth Secondary / Otis Industrial tracks.

John A Speers

Cataumet

**From:** [connie spilhaus](#)  
**To:** [Maria Simone](#)  
**Subject:** VACANCY - BHPC AT LARGE COMMITTEE  
**Date:** Tuesday, March 21, 2023 4:08:47 PM

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Ms. Simone,

I am interested in filling one of two At Large Vacancies on the Bourne Housing Partnership Committee. I have read the most recent Annual Plan For Fiscal 2024, dated March 13, so I feel somewhat informed about what the work of BHPC encompasses. I've also spoken to Sue Ross, who encouraged me to put my name in for this opening. I don't have professional or personal experience directly relating to the Committee's work. However, learning about the ways our town partners with other programs and agencies to maintain its current inventory of affordable housing, and joining the effort to expand the supply are challenges that interest me.

Please accept this as my "TALENT BANK FORM"

CONNIE SPILHAUS



RETIRED

BOURNE HOUSING PARTNERSHIP COMMITTEE, AT LARGE COMMITTEE MEMBER

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# PUBLIC HEARING

## NOFITICATION TO ABUTTERS UNDER THE

### Massachusetts Wetlands Protection Act Chapter 131, Section 40

And

### The Town of Bourne Wetlands Protection Bylaw Article 3.7

BOURNE BD OF SELECTMEN  
RCVD 2023 MAR 24 AM 10:38

Please be advised that the BOURNE Conservation Commission will review the Notice of Intent (NOI) application of:

(Applicants/owners) CMP LLC c/o Ryan Correia for  
work proposed at

Location: 2 Kendall Rae Place ( Map 24.1-Parcel 6 ). Bourne, MA

The purpose of this notification is to allow the public the opportunity to review and comment on the proposed work.

PROPOSED WORK: The applicants propose to: Amend the approved Order of

Conditions. The building locations shifted and project was reduced in size (number of units)

during the Planning Board approval subsequent to the original Order of Conditions.

The *Abutters List* was prepared by the Assessor's Department of Bourne and the list indicates that you are one of the abutters to the locus (see the enclosed map & list).

We look forward to your participation in the review process.

The PUBLIC HEARING on this matter is scheduled for:

Date: 4/6/23

Time: **6:30**

Place: Bourne Community Center, 239 Main St., Buzzards Bay

The PLAN & the NOI application concerning this matter are on file with the Bourne Conservation Commission. They may be reviewed during normal business hours Monday-Friday from 8:30 AM to 4:30 PM. You may call the department at (508)-759-0600 X1344 to arrange an appointment or to ask questions. The plans can be viewed by emailing [SFitch@townofbourne.com](mailto:SFitch@townofbourne.com) or [AAmado@townfobourne.com](mailto:AAmado@townfobourne.com).

Additional questions can be directed to: