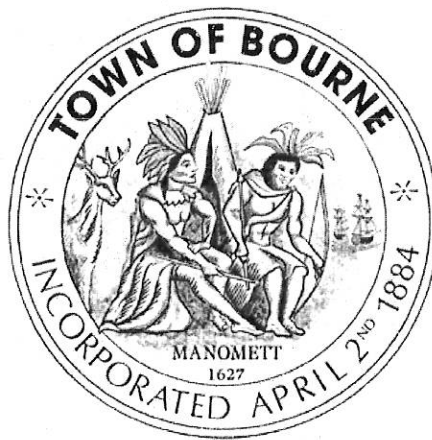


RECEIVED  
2019 OCT 28 PM 10:12  
TOWN OF BOURNE

Articles of the Warrant  
For the Bourne  
Special Meeting  
Monday, October 28, 2019  
7:00 p.m.  
Bourne High School Auditorium



**ARTICLE 1:** To see if the Town will accept General Laws Chapter 44, Section 53F 3/4, which establishes a special revenue fund known as the **Public Educational Government (PEG) Access and Cable Related Fund**, to reserve cable franchise fees and other cable-related revenues for appropriation to support Public Educational Government (PEG) access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2020, which begins on July 1, 2019 or take any other action relative thereto.

***Sponsor – Finance Director***

**ARTICLE 2:** To see if the Town will vote, upon 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 reserves from the FY2020 estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto.

***Sponsor – Community Preservation Committee***

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
A	Bourne Conservation	Create a park at 789 Shore Rd, Pocasset	Open Space/Recreation	\$80,000 Open Space/Recreation Reserves
B	Cedar Point Association Inc	Engineering evaluation of the water quality for Hen Cove, Barlows Landing, Patuisset Island Pond and Wings Neck Dam	Open Space/Recreation	\$50,000 Open Space/Recreation Reserves
C	Town of Bourne	Pedestrian Bicycle	Recreation	\$50,000

		Pathway Phase 4		Open Space/Recreation Reserves
<b>D</b>	Dept. of Natural Resources	Installation of a Barlows Landing Dingy Dock	Recreation	\$38,000 Open Space/Recreation Reserves
<b>E</b>	Bourne Archives	Continue website upgrade	Historic	\$28,000 Historic Reserves
<b>F</b>	Pocasset Community Foundation Inc.	Improvements to Pocasset Community Building	Historic	\$100,000 Historic Reserves
			<b>TOTAL REQUESTS</b>	<b>\$346,000</b>

**ARTICLE 3:** To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$188,500 for the purpose of supplementing and/or **reducing the FY2020 Regular Annual Expenses** of the departmental expenses as voted under Article 3 (Annual Budget) of the 2019 Annual Town Meeting, or take any other action in relation thereto.

***Sponsor – Board of Selectmen***

<b>FY2020 BUDGET AMENDMENTS</b>		
<b>Department</b>	<b>Salaries</b>	<b>Expenses</b>
Town Administrator	\$ 127,500.00	\$ -
Election and Registration	\$ 25,000.00	
Inspections-Sealer Wts/Measurer		\$ 16,000.00
Economic Development	\$ 10,000.00	\$ 10,000.00
Total	\$ 162,500.00	\$ 26,000.00

**ARTICLE 4:** To see if the Town will vote to appropriate a sum of money for the purpose of the payment of **unpaid bills** from a previous fiscal year that are legally unenforceable due to the insufficiency of appropriation or take any other in relation thereto.

***Sponsor – Board of Selectmen***

UNPAID BILLS		
Department	Vendor	Amount
Legal	Atlantic Abstract	\$ 190.00
Town Administrator	Buzzards Bay Water District	\$ 203.39
ISWM	Cape Cod Media Group	\$ 799.20
ISWM	Barnstable County Health Lab	\$ 2,640.00
ISWM	Barnstable County Health Lab	\$ 4,224.00
ISWM	Milton Cat	\$ 1,066.85
Town Administrator	Massachusetts Municipal Association	\$ 75.00
Fire	South Coast Hospitals Group	\$ 65.98
Archives	University Products	\$ 23.90
Planning	Wesley Ewell	\$ 2,010.00
	Total	\$ 11,298.32

**ARTICLE 5:** To see if the Town will vote to appropriate a sum of money for the purpose of funding the Town's **Other Post-Employment Benefits (OPEB) Liability**, or take any other action in relation thereto.

***Sponsor – Board of Selectmen***

**ARTICLE 6:** To see if the Town will vote to appropriate, transfer from available funds, or borrow a sum of money to **repair and resurface Nuovo Road, Sagamore Beach, MA**, pursuant to petitions submitted by abutters under Section 3.1.28 of the Town of Bourne By-laws, said funds to be repaid to the Town through betterment assessments to abutters as provided in Section 3.1.28 of the Town of Bourne By-laws and under Massachusetts General Laws, or take any other action in relation thereto.

***Sponsor: Board of Selectmen***



**ARTICLE 7:** To see if the Town will vote to appropriate a sum of money for the purpose of implementing a **secure wireless electronic voting system** configuration for use by registered voters at an annual or special town meeting including, but not limited to, handheld voting devices, software, hardware, provide training to all persons involved in conducting the town meetings, and provide voter education, or take any other action in relation thereto.

***Sponsor - Town Clerk***

**ARTICLE 8:** To see if the Town will vote to appropriate, borrow or transfer from available funds the sum of \$100,000 for the purpose of supplementing the **FY 2020 Sewer Department Expense Budget** as voted under Article 4 of the 2019 Annual Town Meeting, or take any other action in relation thereto.

***Sponsor – Board of Sewer Commissioners***

**ARTICLE 9:** To see if the Town will vote to amend **Article 1, Section 1.5.5 Annual Report** of the Town of Bourne Bylaws by striking the words “March 15<sup>th</sup>” and substituting in place thereof, the words “January 10<sup>th</sup>”, or take any other action in relation thereto.

***Sponsor: Bylaw Committee***

**ARTICLE 10:** To see if the Town will vote to amend the Bourne Zoning Bylaw by adding a new section titled 2250 "**Medical Marijuana and Marijuana Establishments**" after Section 2240 titled "Accessory Scientific Uses" and containing Sections 2251, 2252, 2253, 2254, 2255, 2256, 2257, and 2258, all as printed in the Warrant and further to amend Section 2220 "Use Regulation Schedule" by adding a new Section as printed in the Warrant and further by adding Footnote 14 as printed in the Warrant and further by inserting a new Section in Section 2821 Downtown District titled "Marijuana Uses" as printed in the Warrant and further by amending Section 5 titled "Definitions" by adding the definition of "Marijuana or Marihuana" and amending the definition of "Fraternal or Social Organization Lodge" as printed in the Warrant and all of which is on file at the Office of the Town Clerk, or to act on anything in relation thereto.

***Sponsor: The Haven Center, Inc.***

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

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

- a) These provisions are enacted pursuant to General Laws, Chapter 40A, Section 9, and pursuant to the Town's authority under the Home Rule

Amendment to the 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, Chapter 40A of the Massachusetts General Laws, 105 CMR 725.000, and M.G.L. Chapter 94G, in acknowledgment of the passage of Chapter 334 of the Acts of 2016 - An Act for the Regulation and Taxation of Marijuana Act, as amended by Chapter 55 of the Acts of 2017, and codified as Massachusetts General Laws Chapter 94G, and any and all regulations established by 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 and 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 only be allowed by Special Permit from the Special Permit Granting Authority 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 requirements of this bylaw.

- d) 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.
- e) 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.
- f) Consumption of medical marijuana and adult use marijuana products at licensed marijuana establishments is prohibited.
- g) 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.
- h) Patriotic, fraternal or social organization 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 935 CMR 500.000 “Adult-Use of Marijuana”, in addition to any requirements herein as adopted, et. seq., including any subsequent updates.
- b) The Special Permit Granting Authority (SPGA) 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 for a special permit under this section shall submit:
  - 1. Copy of a fully executed Host Community Agreement.
  - 2. Proof of a valid Massachusetts issued Marijuana Establishment provisional license.
  - 3. 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.
  - 4. A commitment letter from the Board of Water Commissioners in the appropriate district where the Medical Marijuana and/or a Marijuana Establishment would be sited.
  - 5. A wastewater allocation commitment letter from the Board of Sewer Commissioners for proposed developments in the

Downtown District.

6. 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) No Medical Marijuana and/or Marijuana Establishment shall be located within 500 feet from any public or private school serving grades K through 12, or any state licensed pre-school, or state licensed child care facility.
- b) No Medical Marijuana or Marijuana Retailer shall be located within 250 feet of any library, public park, playground, athletic field, or public recreational facility in existence on the date of a complete application submission to the SPGA for a Special Permit.
- c) No Medical Marijuana and/or Marijuana Establishment shall be located in the Scenic Development District.
- d) The following departures from the dimensional regulations in section 2500 of the underlying districts shall apply to this section:
  1. A minimum separation of 150 feet is required for a Registered Marijuana Dispensary and/or a Marijuana Retailer from Residential Districts R-40, R-80, and the Downtown Neighborhood. Distances shall be measured in a straight line from the nearest residential district line to the nearest point of any principle building housing the Registered Marijuana Dispensary and/or Marijuana Retailer.
- e) 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.
- f) No use variance for medical marijuana, marijuana establishments, marijuana social consumption operation, medical marijuana dispensary, or sale of marijuana accessories is permitted.
- g) Special Permit Compliance: A Special Permit issued 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 14 calendar days of the permit holder business change, property change, discontinuance of use, or if the



permit holder's CCC Licensures expires, is not renewed or is terminated. Any failure to meet the requirement of this bylaw or conditions of the Special Permit 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 any 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 inside a building containing any other uses or tenants, except a Marijuana Establishment may be located in the same building as properly licensed and permitted RMD.
- d) No Marijuana Establishment, Registered Marijuana Dispensary, or Off-Site Medical Marijuana Dispensary shall be located within a mobile facility.
- e) Drive-through windows are prohibited on any building.
- f) 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.
- g) If provided, fencing and gates shall be a maximum of 8' 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 SPGA. Chain link fencing is prohibited wherever visible from the public way or abutting property.
- h) Medical Marijuana and/or a Marijuana Establishment shall comply with the Parking and Loading requirements in Section 3300. Retail Establishment are categorized under "Office, Stores" use. Marijuana Cultivator, Marijuana Manufacturer, Marijuana Product Testing Facility are categorized under "Industrial, Wholesale, or Warehouse"

use.

- i) 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.
- j) No products shall be displayed in the Marijuana Establishment's window or visible from any street or parking lot.
- k) 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 SPGA 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. Limitation on Special Permits**

- a) The total number of Marijuana Retailer special permits issued in the Town of Bourne shall be limited to three (3).
- b) 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:

- (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;

- (b) independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and
- (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, dispenses, 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 an affiliated RMD) but which serves only to dispense the processed marijuana, related supplies and educational materials to registered 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 used shall be interpreted as defined in G.L. c.94G, 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 remaining provisions, which shall remain in full force and effect.

**SECTION 2220 USE REGULATION SCHEDULE**

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/SP <sup>14</sup>	SPR/SP	No
Independent Marijuana Testing Laboratory	No	No	SPR/SP <sup>14</sup>	SPR/SP	No
Marijuana Product Manufacturing	No	No	SPR/SP <sup>14</sup>	SPR/SP	No
Marijuana Retailer (marijuana product sales and related paraphernalia)	No	No	SPR/SP <sup>14</sup>	SPR/SP	No
RMD or OMMD	No	No	SPR/SP <sup>14</sup>	SPR/SP	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 B-2 district on Mashnee Island

### **SECTION 2821 DOWNTOWN DISTRICT**

MARIJUANA USES		
Land Use Classification	Permitted by:	Functional Standards and Special Permit Criteria
Marijuana Cultivation	SP	Shall not be permitted on frontage lots on Main Street. Shall not be located inside a building containing any non-marijuana uses or tenants.
Independent Marijuana Testing Laboratory	SP	Shall not be located inside a building containing any non-marijuana uses or tenants.
Marijuana Product Manufacturing	SP	Shall not be permitted on frontage lots on Main Street. Shall not be located inside a building containing any non-marijuana uses or tenants.
Marijuana Retailer (marijuana product-sales and related paraphernalia)	SP	A minimum separation of 150 feet is required from Residential Districts R-40, R-80 and the Downtown Neighborhood, and between Marijuana Retailers. Shall not be located inside a building containing non-marijuana uses or tenants.
RMD or OMMD	SP	Shall not be permitted on frontage lots on Main Street. Shall not be located inside a building containing any non-marijuana uses or tenants.
Social consumption of adult use marijuana at patriotic, fraternal or social organization lodges and clubs; and properties used for general lodging or boarding	N	

#### ***For Reference Only***

Legend:

SP = Special Permit

N = Not Allowed

P = Permitted

“SPR/SP”= Planning Board, a use authorized after review under Site Plan Review/Special Permit as provided in section 1230.

Residential 40 (R-40); Residential 80 (R-80); Village Business (V-B); Business 1 (B-1); Business 2 (B-2); Business 3 (B-3); Business 4 (B-4); and Government District (GD).

## **SECTION V DEFINITIONS**

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”.

**ARTICLE 11:** To see if the Town will vote to amend the provisions of the Town of **Bourne Zoning By-Law** by adding the following new section 3490 entitled “**Stormwater Regulations**” Or take any other action in relation thereto:

***Sponsor – Planning Board***

### **3490. STORMWATER REGULATIONS**

#### **3491. Purpose and Intent**

- A. The purpose of these Stormwater Regulations is to protect, maintain and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased runoff, decreased ground water recharge, erosion and sedimentations, and nonpoint source pollution associated with new development and redevelopment of land.
- B. These Stormwater Regulations have been established to provide reasonable guidance for the regulation of design, construction and post-development stormwater runoff for the purpose of protecting local water resources from degradation. It is in the public interest to regulate construction and post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with construction site and post-development stormwater runoff.
- C. The proper management of stormwater runoff will meet the following objectives:
  - 1. Reduce the adverse water quality impacts of stormwater discharges to rivers, lakes, reservoirs, streams and estuaries in order to meet federal water quality standards;
  - 2. Prevent the discharge of pollutants, including hazardous chemicals, into stormwater runoff;
  - 3. Minimize the volume and rate of stormwater, which is discharged to rivers,

streams, reservoirs, lakes storm sewers, and estuaries that flows from any site during and post development;

4. Prevent erosion and sedimentation from land development, and reduce stream channel erosion caused by increased runoff;
5. Provide for the non-polluted recharge of groundwater aquifers and maintain the base flow of streams;
6. Provide stormwater facilities that are attractive, maintain the natural integrity of the environment, and are designed to protect public safety;
7. Maintain or reduce pre-development runoff characteristics after development to the extent feasible;
8. Minimize damage to public and private property from flooding;
9. Ensure that these management controls are properly maintained; and
10. Comply with state and federal statutes and regulations relating to stormwater discharges.

#### **D. Applicability**

1. These regulations shall apply to land disturbances that drain into the municipal storm drain system or, directly or indirectly, into a watercourse or water of the Commonwealth via a municipal Point Source. Except as authorized by a Local Stormwater Permit, no person shall perform any activity that results in a land disturbance above the threshold contained in this subsection, below.
2. The following uses and activities shall be regulated under this by-law and require a Local Stormwater Permit:
  - a) Subdivisions and any other construction activities with a land disturbance area equal to or greater than one (1) acre.
  - b) Commercial projects which trigger Planning Board review under Section 1233, with a land disturbance area equal to or greater than one (1) acre.
  - c) Residential development or redevelopment with a land disturbance area equal to or greater than one (1) acre.
  - d) Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development or sale that would disturb area equal to or greater than one (1) acre.
  - e) Land disturbances less than one (1) acre if that disturbance is part of a larger common plan of development or sale that would disturb one (1) or more acres.
3. The following activities are exempt from the provisions of this regulation.
  - a) Development, or redevelopment activities that result in land disturbance of



less than one (1) acre.

- b) Residential development or redevelopment that disturbs less than one (1) acre.
- c) Normal maintenance and improvement of land in agricultural or aquaculture use, as defined by the Massachusetts Wetlands Protection Act regulations (310 CMR 10.04)
- d) Normal road maintenance.
- e) Maintenance of public utilities.
- f) Emergency repair with the approval of the agent of the Stormwater Authority.

#### **E. Authority and Administration**

1. Projects Requiring Site Plan – Special Permit Approval under Section 1233
  - a) The Planning Board shall be the Stormwater Authority that will issue a local stormwater permit.
  - b) Projects requiring Site Plan – Special Permit Approval shall include submittal of a Stormwater Management Plan to the Planning Board with the Site Plan – Special Permit Approval applications.
2. Projects Requiring Subdivision Approval of a Definitive Plan
  - a) Planning Board shall be the Stormwater Authority that will issue a local stormwater permit.
  - b) A Stormwater Management Plan shall be submitted with the application for definitive subdivision approval.
3. Projects Requiring Conservation Commission Approval
  - a) The Conservation Commission shall be the Stormwater Authority that will review and approve stormwater management on the site as part of the MA Wetlands Protection Act review and Order of Conditions issuance.
  - b) Projects requiring Conservation Commission approval shall include submittal of a Stormwater Management Plan to the Conservation Commission with the Notice of Intent in accordance with the MA Wetlands Protection Act Regulations (310 CMR 10.00) and stormwater standards included therein.
4. All other development
  - a) The Planning Board shall be the Stormwater Authority that will issue a local stormwater permit.
  - b) A Stormwater Management Plan shall be submitted with the application for a local Stormwater Permit.

#### **F. Definition and Terms**

**Best Management Practice (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

**Certified Professional In Erosion And Sediment Control (CPESC): A**

Certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

**Construction And Waste Materials:** Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

**Development:** The modification of land to accommodate a new use or expansion of use, usually involving construction.

**Discharge Of Pollutants:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or commonwealth from any source.

**Drainage Easement:** A legal right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

**Erosion And Sedimentation Control Plan:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbance activities.

**Groundwater:** Water beneath the surface of the ground.

**Illicit Discharge:** Any discharge to a municipal separate storm sewer that is not composed entirely of stormwater and is not authorized by an NPDES permit. Discharges of non-stormwater to the storm drainage system. Examples are discharges from internal floor drains, appliances, industrial processes, sinks, and toilets that are connected to the nearby storm drainage system. These discharges should be going to the sanitary sewer system, a holding tank, an on-site process water treatment system, or a septic system. (See Board of Health regulations)

**Impervious Surface:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. "Impervious surface" includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**Infiltration:** The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

**Land-Disturbance:** Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters, involves clearing and grading, or results in an alteration of drainage characteristics.

**Land Use Of Higher Potential Pollutant Load (LUHPPL):** Land uses or activities with higher potential pollutant loadings, such as auto salvage yards, auto fueling facilities, exterior fleet storage yards, vehicle service and equipment cleaning areas, commercial parking lots with high intensity use, road salt storage areas, outdoor storage and loading areas of hazardous substances, confined disposal facilities and disposal sites, and marinas or boat yards.

**Massachusetts Stormwater Management Standards:** The Standards as further defined by the Massachusetts Stormwater Handbook, issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L.c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

**Municipal Separate Storm Sewer System (MS4) Or Municipal Storm Drain System:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Bourne.

**National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit:** A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes the discharge of pollutants to waters of the United States.

**Outfall:** The point at which stormwater flows out from a point source discernible, confined and discrete conveyance into waters of the Commonwealth.

**Outstanding Resource Waters (ORWs):** Waters designated by Massachusetts Department of Environmental Protection as ORWs. These waters have exceptional sociologic, recreational, ecological and/or aesthetic values and are subject to more stringent requirements under both the Massachusetts Water Quality Standards (314 CMR 4.00) and the Massachusetts Stormwater Management Standards. ORWs include vernal pools certified by the Natural Heritage Program of the Massachusetts Department of Fisheries and Wildlife and Environmental Law Enforcement, all Class A designated public water supplies with their bordering vegetated wetlands, and other waters specifically designated.

**Point Source:** Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

**Pollutant:** Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the commonwealth. Pollutants shall include without limitation:

- A. Paints, varnishes, and solvents;
- B. Oil and other automotive fluids;
- C. Nonhazardous liquid and solid wastes and yard wastes;
- D. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnance, accumulations and floatables;
- E. Pesticides, herbicides, and fertilizers;
- F. Hazardous materials and wastes; sewage, fecal coliform and pathogens;
- G. Dissolved and particulate metals;
- H. Animal wastes;
- I. Rock; sand; salt; soils;
- J. Construction wastes and residues; and
- K. Noxious or offensive matter of any kind.

**Recharge:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

**Redevelopment:** Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites. The creation of new areas of impervious surface or new areas of land disturbance on a site constitutes development, not redevelopment, even where such activities are part of a common plan which also involves redevelopment. Redevelopment includes maintenance and improvement of existing roadways including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems and repaving; and remedial projects specifically designed to provide improved stormwater management such as projects to separate storm drains and sanitary sewers and stormwater retrofit projects.

**Runoff:** Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**Stabilization:** The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

**Stormwater Authority:** Town of Bourne Planning Board or Conservation Commission, as identified in Section 3491 E., or its authorized agent(s).



**Stormwater:** Runoff from precipitation or snow melt and surface water runoff and drainage.

**Strip:** Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**Toxic Or Hazardous Material Or Waste:** Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**Watercourse:** A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

**Waters Of The Commonwealth:** All waters within the jurisdiction of the commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

**Wetland Resource Area:** Areas specified in the Massachusetts Wetlands Protection Act c. 131, § 40 and in the Town of Bourne Wetlands Protection Bylaw and Wetland Regulations.

### **3492. Submission Requirements for Local Stormwater Permits**

- A. A Stormwater Management Plan containing sufficient information to evaluate the environmental impact, effectiveness, and acceptability of the site planning process and measures proposed by the applicant to reduce adverse impacts from construction and on a long-term basis shall be submitted as part of the application for a Local Stormwater Management Permit.
- B. The Stormwater Management Plan shall fully comply with the Stormwater Management Standards in Section 3493.
- C. The Stormwater Management Plan shall fully describe the project in narrative, drawings, and calculations. It shall include at a minimum:
  - 1. Contact Information. The name, address, telephone number and email addresses of all persons including applicant and representatives.
  - 2. The street address and the assessor's property map and parcel numbers of the property or properties affected.

3. Narrative describing the following elements:

- a) Purpose
- b) Methodologies and assumptions
- c) Existing and proposed uses and conditions
- d) Project impacts and mitigation techniques including:
  - i. Summary of proposed land area to be cleared, proposed impervious area, work within proximity of regulated wetland resources, aquifer protection zones, earthwork within 4 feet of seasonal high groundwater elevations, and other sensitive environmental areas.
  - ii. Low impact development (LID) techniques considered for this project and an explanation as to why they were included or excluded from the project.
  - iii. Best management practices proposed for this project.
  - iv. Identification of the immediate down gradient waterbody(s) to which stormwater runoff from the project site discharges, EPA's waterbody assessment and TMDL status of the receiving waterbody(s), (<http://www.epa.gov/region1/npdes/stormwater/ma.html>) and the LIDs and BMP's included in the project to address the pollutant(s) of concern.
- e) Summary of pre and post development peak rates and volumes of stormwater runoff to show no adverse impacts to down-gradient properties, stormwater management systems and wetland resources.

4. Drawings and Figures

- a) Portion of the USGS Map indicating the site locus and properties within a minimum of 500 feet of project property line.
- b) Existing conditions and proposed design plans showing:
  - i. Buildings and/or structures including materials and approximate height.
  - ii. Utilities including size, material, and invert data.
  - iii. Regulated wetland resource areas within proximity of the site.
- c) Stormwater management design plan(s) and details showing:
  - i. Location, size, material, inverts data and details for all existing and proposed stormwater management system components including structures, pipes, swales, detention, retention, and infiltration systems and any other LID techniques or BMPs.
  - ii. Profiles of drainage trunk lines.
  - iii. Drainage easements.
- d) Separate Pre- and Post-Condition Watershed Plans indicating:
  - i. Structures, pavements, surface vegetation and other ground cover

- materials
- ii. Topography sufficient to delineate watershed areas.
- iii. Point(s) of analysis.
- iv. Watershed areas including up gradient areas that contribute stormwater flow onto the project site, labeled to be easily identified in calculations – total pre and post watershed areas should be equivalent.
- v. Breakdown summary of various surface conditions by soil hydrologic group rating
- vi. Flow path for time of concentration (Tc) calculation.

5. Calculations

- a) Hydrologic calculation to determine pre and post peak rates and volumes of stormwater runoff for 2, 10, and 100 year, 24-hour storm events.
- b) Groundwater recharge calculations and BMP drawdown.
- c) Water quality calculations including (if applicable):
  - i. TSS removal calculation for each watershed.
  - ii. Specified BMPs utilized in critical areas.
  - iii. Specific BMPs utilized for land uses of higher potential pollutant loads
  - iv. Specific Treatment for pollutant causing impairment of down-gradient waterbody identified by EPA and MassDEP.
- d) Hydraulic calculations to size drainage pipes, swales and culverts.
- e) Supplemental calculations for sizing LID and BMPs and addressing impairments to water bodies.

6. Soil mapping and test data.

- a) MassDEP Checklist for Stormwater Report completed, stamped and signed by a Professional Engineer (PE) licensed in the Commonwealth of Massachusetts to certify that the Stormwater Management Plan is in accordance with the criteria established in the MassDEP Stormwater Management Standards and these regulations.
- b) Any other information requested by the Stormwater Authority.

**3493. Stormwater Management Standards for Local Stormwater Permits**

- A.** The Stormwater Management Plan shall be designed to meet the Massachusetts Stormwater Management Standards as further defined in the Massachusetts Stormwater Handbook and any additional standards required by this regulation.
- B.** Neighboring properties shall not be used for structural BMPs unless a recordable easement has been granted for such use, and a copy of the easement has been submitted to the Board as part of the Plan; (Such easement must be recorded prior to the

commencement of work.)

- C. To the extent that any project within the jurisdiction of this regulation is located in an area subject to one or more pollutant-specific Total Maximum Daily Loads (TMDLs), such project is required to implement structural and non-structural stormwater best management practices (BMPs) that are consistent with each such TMDL and its associated Waste Load Allocation (for point sources) and Load Allocation (for nonpoint sources). The Planning Board and/or Conservation Commission may develop, publish and periodically revise one or more pollutant-specific guidance documents describing the geographic applicability of each TMDL and identifying BMPs that individually or in combination are considered to be consistent with the TMDL(s).
- D. In accordance with MA MS4 General Permit Appendix F, Section IV. Cape Cod Nitrogen TMDL Requirements, new development and redevelopment stormwater management BMPs in the Phinney's Harbor (MA95-15) watershed must be optimized for nitrogen removal. The location of Phinney's Harbor watershed is illustrated on the maps provided in the stormwater section of the Bourne Commission website at <https://www.townofbourne.com/conservation/pages/conservation-documents>
- E. In accordance with MA MS4 General Permit Appendix H, Section III, the following receiving waters in Bourne are water quality limited waterbodies where nitrogen is the cause of the impairment and stormwater management BMPs in watersheds draining to these waterbodies shall be optimized for nitrogen removal: Buttermilk Bay (MA95-01), Little Buttermilk Bay (MA95-76), Squeteague Harbor (MA95-55), and Pocasset Harbor (MA95-17). The locations these waterbodies are illustrated on the maps provided in the stormwater section of the Bourne Commission website at <https://www.townofbourne.com/conservation/pages/conservation-documents>.
- F. Low Impact Development (LID) site planning and design strategies must be used to the maximum extent feasible.
- G. Stormwater treatment and infiltration systems shall be designed to meet the requirements contained in Volume 2 of the Massachusetts Stormwater Handbook and/or other federally or State approved BMP design guidance:
  - 1. The following standards apply to new development:
    - a) Stormwater management systems shall fully comply with the standards of the Massachusetts Stormwater Management Standards listed in Section 5(D) (3), below, and as updated or amended.
    - b) Stormwater management systems shall:
      - i. Retain the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the site, and/or



- ii. Remove 90% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious surface area on the site (average removal over a year) and 60% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved BMP design guidance or performance standards may be used to calculate BMP performance.

2. The following standards apply to redevelopment:

- a) Stormwater management systems shall comply to the maximum extent feasible with the standards listed in the Massachusetts Stormwater Management Standards listed in Section 5(D)(3)(a-c) and the pre-treatment and structural BMP requirements of Section 5(D)(3)(d-e), below, and as updated or amended.
- b) Stormwater management systems shall improve existing water quality conditions by requiring that stormwater management systems be designed to:
  - i. Retain the volume of runoff equivalent to, or greater than, eight-tenths (0.8) inch multiplied by the total post-construction impervious surface area on the site and/or
  - ii. Remove 80% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious surface area on the site (average removal over a year) and 50% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1. If EPA Region 1 tools do not address the planned or installed BMP performance, any federally or State approved BMP design guidance or performance standards, such as State stormwater handbooks and design guidance manuals, may be used to calculate BMP performance.
- c) Stormwater management systems on redevelopment sites may utilize offsite mitigation within the same USGS HUC10 watershed as the redevelopment site to meet the equivalent retention or pollutant removal requirements in Section 5(D)(2)(b)(ii).
- d) Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing



drainage systems, and repaving projects, shall improve existing conditions where feasible and are exempt from Section 5(D)(2)(a) – 5(D)(2)(c) (Massachusetts Stormwater Handbook Standards 1-3) above. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single land width shall meet the requirements of Section 5(D)(2)(a) – 5(D)(2)(c) fully.

3. Requirements of the Massachusetts Stormwater Management Standards:

- a) **Conveyances.** No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth (Massachusetts Stormwater Handbook Standard 1).
- b) **Peak Runoff.** Stormwater management systems shall be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. This Standard may be waived for discharges to land subject to coastal storm flowage as defined in 310 CMR 10.04 (Massachusetts Stormwater Handbook Standard 2).
- c) **Groundwater Recharge.** Loss of annual recharge to groundwater shall be eliminated or minimized through the use of infiltration measures including environmentally sensitive site design, low impact development techniques, stormwater best management practices, and good operation and maintenance. At a minimum, the annual recharge from the post-development site shall approximate the annual recharge from pre-development conditions based on soil type. This Standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook (Massachusetts Stormwater Handbook Standard 3).
- d) **Discharge of Pollutants.** For land uses with higher potential pollutant loads, source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable. If through source control and/or pollution prevention all land uses with higher potential pollutant loads cannot be completely protected from exposure to rain, snow, snow melt, and stormwater runoff, the proponent shall use the specific structural stormwater BMPs determined by the Department to be suitable for such uses as provided in the Massachusetts Stormwater Handbook. Stormwater discharges from land uses with higher potential pollutant loads shall also comply with the requirements of the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53 and the regulations promulgated thereunder at 314 CMR 3.00, 314 CMR 4.00 and 314 CMR 5.00 (Massachusetts Stormwater Handbook Standard 5).
- e) **Protection of Zone II or Interim Wellhead Protection Areas.** Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply, and stormwater discharges near or to any other critical area, require

the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by the Department to be suitable for managing discharges to such areas, as provided in the Massachusetts Stormwater Handbook. A discharge is near a critical area if there is a strong likelihood of a significant impact occurring to said area, taking into account site-specific factors. Stormwater discharges to Outstanding Resource Waters and Special Resource Waters shall be removed and set back from the receiving water or wetland and receive the highest and best practical method of treatment. A "storm water discharge" as defined in 314 CMR 3.04(2) (a) 1 or (b) to an Outstanding Resource Water or Special Resource Water shall comply with 314 CMR 3.00 and 314 CMR 4.00. Stormwater discharges to a Zone I or Zone A are prohibited unless essential to the operation of a public water supply (Massachusetts Stormwater Handbook Standard 6).

- f) **Long term Maintenance.** A long-term operation and maintenance plan shall be developed and implemented to ensure that Stormwater management systems function as designed (Massachusetts Stormwater Handbook Standard 9).

#### **3494. Construction Site Stormwater Runoff Control for Local Stormwater Permits**

##### **A. Sediment and Erosion Control Plan**

1. A Sediment and Erosion Plan containing sufficient information to evaluate compliance with these regulations, and, if applicable, the NPDES General Permit for Stormwater Discharges from Construction Activities, shall be submitted as part of the application for a Local Stormwater Management Permit..
2. The Sediment and Erosion Control Plan shall fully comply with the standards within these regulations.
3. If the project requires a SWPPP under the requirements of the US EPA Construction General Permit, the permittee is required to submit a complete copy of the SWPPP, including the signed Notice of Intent (NOI) and approval letter. If the SWPPP meets the requirements of the U.S. EPA NPDES Construction General Permit, it will be considered equivalent to the Erosion and Sediment Control Plan described in this section.
4. The Erosion and Sediment Control Plan shall contain the following information:
  - a) Names, street addresses, email addresses and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
  - b) Title, date, north arrow, names of abutters, scale, legend, and locus map.
  - c) Location and description of natural features including:
    - i. Watercourses and water bodies, wetland resource areas and all floodplain

information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps.

- ii. Existing vegetation including tree lines, canopy layer, shrub layer, and ground cover, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities.
  - iii. Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
- d) Lines of existing abutting streets showing drainage and driveway locations and curb cuts.
  - e) Existing soils, volume and nature of imported soil materials.
  - f) Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed.
  - g) Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed.
  - h) Drainage patterns and approximate slopes anticipated after major grading activities (Construction Phase Grading Plans).
  - i) Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas.
  - j) Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable.
  - k) Location and description of industrial discharges, including Stormwater discharges from dedicated asphalt plants and dedicated concrete plants, which are covered by this permit.
  - l) Stormwater runoff calculations in accordance with the Massachusetts Department of Environmental Protection's Stormwater Management Standards.
  - m) Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures.

- n) A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to Stormwater, and spill prevention and response. The plan shall describe measures to control construction wastes including but not limited to discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes.
- o) A description of provisions for phasing the project where one acre of area or greater is to be altered or disturbed.
- p) Plans must be stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sediment Control.

B. Sediment and Erosion Control Performance Standards for Local Stormwater Permit

1. The Sediment and Erosion Control Plan shall include BMPs appropriate for the conditions at the construction site, including efforts to minimize the areas of land disturbance. BMPs shall meet the design standards of the Massachusetts Stormwater Handbook and the MassDEP 2003 *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas*.
2. The design standards for the Erosion and Sedimentation Control Plan include the following:
  - a) Minimize the total area of disturbance;
  - b) Sequence activities to minimize simultaneous areas of disturbance;
  - c) Install and maintain all erosion and sediment control measures in accordance with the manufacturer's specifications and good engineering practices;
  - d) Protect all slopes on the construction site;
  - e) Protect all storm drain inlets and armor all newly constructed outlets;
  - f) Prevent off-site transport of sediment, including off-site vehicle tracking of sediment;
  - g) Protect and manage on and off-site material storage areas (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project of the project);
  - h) Prevent significant alteration of habitats mapped by the Massachusetts Natural Heritage and Endangered Species Program as Endangered, Threatened or Of Special Concern; Estimated Habitats of Rare Wildlife and Certified Vernal Pools; and Priority Habitats of Rare Species, from the proposed activities;
  - i) Institute interim and permanent stabilization measures, which shall be instituted on a disturbed area as soon as practicable but no more than 14 days after construction activity has temporarily or permanently ceased on that portion of the site; and



- j) Properly manage on-site construction and waste materials.

### **3495. Operation and Maintenance Plan**

- A. Long -Term Operation and Maintenance (O&M) Plan shall be developed and implemented to ensure that stormwater management systems function as designed. The Stormwater Authority may require a maintenance agreement between the owner and the Town of Bourne for privately-owned structural BMPs that specifies the responsible party for conducting long term inspections.
- B. Parties responsible for the operation and maintenance of structural BMPs shall provide records of all maintenance and repairs to the Stormwater Authority upon request. Parties responsible for the operation and maintenance of structural BMPs shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least five (5) years. These records shall be made available to the Stormwater Authority during inspection of the facility and at other reasonable times upon request.
- C. After notification is provided to the person responsible for carrying out the maintenance plan of any deficiencies discovered from an inspections as detailed in Section 8, the person responsible for carrying out the maintenance plan shall have 30 days or other time frame mutually agreed to between the Board and the person responsible for carrying out the maintenance plan to correct the deficiencies. The Board shall then conduct a subsequent inspection to ensure completion of repairs.
- D. If a responsible person fails or refuses to meet the requirements of the O&M Plan, the Stormwater Authority, after thirty (30) days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four (24) hours' notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The Stormwater Authority may assess the owner(s) of the facility for the cost repair work, which shall be a lien on the property.
- E. The owner(s) of record of the Stormwater Management system must notify the Stormwater Authority of changes in ownership, assignment of Operation and Maintenance responsibilities, or assignment of financial responsibility within 30 days of the change in ownership. The owner of record shall be responsible for Operation and Maintenance activities until a copy of the updated Operation and Maintenance Plan has been furnished to the Stormwater Authority signed by the new owner or any new responsible person.
- F. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of these regulations by mutual agreement of the Stormwater Authority and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational and/or maintenance responsibility.



### **3496. Inspection and Site Supervision**

- A. Pre-Construction Meeting.** Prior to starting clearing, excavation, construction, or land disturbing activity, the applicant or the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, shall meet with the Stormwater Authority to review the permitted plans and their implementation.
- B. Board Inspection.** The Stormwater Authority or its designated agent shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the land disturbance permit as approved. The Permit and associated plans for grading, stripping, excavating, and filling work, bearing the signature of the approval of the Stormwater Authority, shall be maintained at the site during the progress of the work. In order to obtain inspections, the Stormwater Authority shall be notified at least two working days before each of the following events:

  - a) Erosion and sediment control measures are in place and stabilized;
  - b) Site clearing has been substantially completed;
  - c) Rough Grading has been substantially completed;
  - d) Final Grading has been substantially completed;
  - e) Close of the Construction Season; and
  - f) Final landscaping (permanent stabilization) and project final completion.
- C. Permittee Inspections.** The permittee or his/her agent shall conduct and document inspections of all control measures no less than weekly or as specified in the permit, and prior to and following storm events. The purpose of such inspections will be to determine the overall effectiveness of the control plan, and the need for maintenance or additional control measures. The permittee or his/her agent shall submit upon request reports to the Stormwater Authority or designated agent in a format approved by the Stormwater Authority.
- D. Access Permission.** To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under these regulations and may make or cause to be made such examinations surveys or sampling as the Stormwater Authority deems reasonably necessary to determine compliance with the permit.

### **3497. As-Built Plans**

After structural BMPs have been constructed, the permittee shall submit an "as-built" plan detailing the actual BMP as installed. Permittees shall submit as-built plans prepared and certified by a Professional Engineer (P.E.). The as-built plans must depict all on site structural and non-structural controls design to manage Stormwater associated with the completed site (post-construction stormwater management). The plan must show the final

design specifications of all stormwater management controls. The Stormwater Authority shall inspect the structural BMP to confirm its as-built features. If the system is found to be inadequate by virtue of physical evidence of operational failure, even though it was built as called for in the Plan, it shall be corrected.

#### **3498. Performance Bond**

- A. The Stormwater Authority or its agents may require from the developer a surety or cash bond or other means of security acceptable to the Town prior to the issuance of any building permit for the construction of a development requiring a stormwater management facility. The bond so required in this section shall include provisions relative to forfeiture for failure to complete work specified in the approved stormwater management plan, compliance with all of the provisions of this By-law and other applicable laws and regulations, and any time limitations. The company providing the performance bond to the developer shall submit a bond of the highest grade as rated by Moody's or Standard and Poor's.
- B. A Certificate of Completion signed by the town, submission of "As-built" plans, and the Town's final inspection are required prior to full release of the bond.

#### **3499. Severability**

If any provision, paragraph, sentence, or clause, of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.

**ARTICLE 12:** To see if the Town will vote to adopt the following **updated Local Comprehensive Plan** as prepared by the Local Comprehensive Planning Committee, as a guide for development proposals and management decisions for town officials, boards, and committees. Or take any other action in relation thereto:  
***Sponsor – Local Comprehensive Planning Committee***

*The Local Comprehensive Plan provides a road map to the future the Town of Bourne. It is comprehensive in that it addresses all of the major community issues facing the town, with broad statements of goals, policies, and key actions to address each issue area. It is not intended to be an encyclopedia of statistics and proposals for every issue. Detailed information on most issues can be found in links and references provided throughout the plan to more in-depth studies and reports.*

**GROWTH POLICY:** to guide growth toward areas that are adequately supported by infrastructure and away from areas that must be protected for ecological, historical, or other reasons.

**VISION:** A town of village centers serving the daily needs of surrounding neighborhoods, with an active downtown, a center for government, marine research, and education. Regional commercial and industrial uses located on MacArthur Boulevard and other areas with suitable highway access.

## **WATER RESOURCES**

**Water Resources Goal:** To assure an adequate supply of high-quality drinking water without need for excessive treatment, to reverse degradation of subsurface aquifers, and to restore and preserve the ecological integrity of surface waters.

### **Water Resources Policies**

1. Manage water use so that it does not adversely affect the quality or quantity of surface water resources, private wells, or the safe yield of the region's fresh water aquifers.
2. Advance and support regional plans and programs to expand wastewater treatment efforts that will lead to servicing densely developed neighborhoods along the Buzzards Bay coast.
3. Institute a educational campaign to phase out chemical fertilizers and pesticides in favor of low-nitrogen organic and natural biological treatment methods.

### **Water Resources Actions**

1. Identify, remediate, treat, or contain identified sources of pollution in coastal embayments and estuaries in an effort to attain established Total Maximum Daily Loads (TMDL).
2. Create a comprehensive wastewater management plan to upgrade public and private wastewater treatment facilities and methods in appropriate areas, especially in densely developed neighborhoods, and actively seek grants and other funding to carry out the plan.
3. Promote public/private initiatives to create neighborhood wastewater treatment facilities, in lieu of individual septic systems or regional collection and treatment systems.
4. Take advantage of the Cape Cod Commission's Pond and Lake Stewardship (PALS) program to compile a biological, chemical, and physical profile of each fresh water pond and waterway, and continually monitor all fresh water areas for changes in the profile.
5. Encourage and assist the Buzzards Bay and North Sagamore Water Companies to identify and develop new well locations to serve expanding development north of the canal.
6. Initiate a continuing public education and incentive program on the effects of pollution from septic systems, stormwater runoff, yard fertilization, recreational boating, pet waste, birds and wild animals, and overdevelopment.
7. Work with adjacent towns and the Massachusetts DOT Highway Department to enforce Best Management Practices for controlling storm water runoff from roads.
8. Continue to collaborate with Joint Base Cape Cod officials to clean up pollution from the base.
9. Adopt water conservation plans that encourage installation and use of water-saving and recycling devices such as cisterns, gray-water tanks, and alternative septic systems.
10. Improve communications between town, state, and federal officials to coordinate policies and programs related to water quality.



## **OCEAN RESOURCES**

Ocean Resources Goal: to protect the public interest in the coast as well as rights for fishing, navigation and recreation; to improve, preserve and manage coastal areas in order to safeguard and perpetuate their biological, economic, historic, maritime and aesthetic values; and to preserve, enhance and expand public access to the shoreline.

### **Ocean Resources Policies**

1. Ensure that future development and modification of existing development is properly sited and designed to minimize flood hazards and maintain the ability of coastal landforms to migrate naturally.
2. Restore sustainable commercial and recreational harvesting of both finfish and shellfish, and protect benthic habitats from direct or indirect impacts.
3. Enhance and improve public access to and visibility of ocean resources.

### **Ocean Resources Actions**

1. Use the Waterways Improvement Fund and funding from the Seaport Economic Council to support rapidly increasing costs of coastal dredging, facilities maintenance, and other coastal environmental quality activities.
2. Revise the Floodplain Zoning Bylaw and pursue other actions recommended in Bourne's 2018 Hazard Mitigation Plan and the Cape Cod Commission's Regional Policy Plan.
3. Cooperate and support organizations and programs that monitor and evaluate coastal waters, including the Coalition for Buzzards Bay and Massachusetts Estuaries Project.
4. Conduct an assessment and evaluation of ocean resources throughout Bourne.
5. Prepare and publicize a Coastal Resources Management Plan that addresses conflicts between shellfish habitat, navigation, recreation, wildlife and plant habitat, and development.
6. Adopt additional regulations, including a storm water bylaw, required to meet the Phase II Stormwater bylaw standards of the federal Clean Water Act.
7. Restore and maintain natural tidal flows to salt marsh areas.
8. Continue to monitor use of, and enforce regulation related to, waterfront fueling facilities, sewage pump-out stations, boats, storm drains, and septic disposal systems.
9. Take advantage of the Maritime Academy and the Canal in all efforts to promote and protect Bourne's ocean resources.
10. Expand the shellfish propagation and habitat restoration program in accordance with the Coastal Resources Management Plan.
11. Inspect and upgrade culverts, storm drains, and other infrastructure to prioritize retrofits and improvements, including dredging where appropriate, in order to improve water quality.

## **WETLAND RESOURCES**

Wetland Resources Goal: to restore and protect the natural state of all wetlands and their buffers to the greatest extent possible.

### **Wetland Resources Policies**

1. Preserve the quality and quantity of inland and coastal wetlands and their buffers.
2. Protect wetlands from stormwater discharges and changes in hydrology.
3. Monitor and control vegetation and grade changes in wetlands and their buffer areas.
4. Promote restoration of degraded wetland resource areas.

### Wetland Resources Actions

1. Remove barriers to tidal flow in coastal wetlands, and restore and maintain tidal flows to salt marsh areas.
2. Protect beaches, dunes, coastal banks, and salt marshes from human alteration.
3. Continue the existing successful maintenance and improvement dredging program.
4. Create and implement regulations to provide undisturbed natural or vegetated buffer areas bordering wetlands to reduce damaging runoff and protect their natural functions.
5. Adopt a bylaw to prohibit illicit stormwater discharges into wetlands and buffer areas, and initiate a program to remove all such discharges.
6. Actively promote public awareness of the value of wetlands and the importance of protecting them; and educate the public on what they can do through social media and mailings.
7. Seek funding by grants or appropriations to support efforts to identify and remediate impaired coastal embayments.
8. Develop a wetlands protection program for inclusion in Bourne's school curriculum.
9. Create resource management plans for Bourne's ACEC areas that are consistent with published State guidelines.

### **WILDLIFE AND PLANT HABITAT**

Wildlife and Plant Habitat Goal: To restore and protect the natural environment to the greatest extent possible while accommodating the needs of residents and visitors for housing, transportation, recreation, and economic opportunity.

#### Wildlife and Plant Habitat Policies

1. Manage natural habitats that support diverse communities of local wildlife and plant species.
2. Promote best management practices to protect wildlife and plant habitat from the adverse impacts of development.
3. Prevent, minimize, or reverse invasive species incursions.

#### Wildlife and Plant Habitat Actions

1. Post biologically sensitive areas to prevent damage from walkers and cyclists.
2. Support and work to implement the Massachusetts Endangered Species Act (MESA) by streamlining local review procedures with MESA review of projects.
3. Develop strategies to control and remove invasive species on publicly owned land.
4. Plant native vegetation as needed to enhance or restore wildlife habitat.
5. Cluster development away from the most sensitive areas of a site.
6. Keep identified wildlife migration corridors unimpeded by development or fencing.
7. Promote best management practices to protect wildlife and plant habitat from adverse impacts.
8. Minimize clearing and grading of development sites.
9. Preserve critical wildlife and plant habitats during the design/permitting stage of developments.
10. Acquire conservation easements over private land to preserve wildlife corridors.
11. Revise regulations to protect wetland buffers or create buffers where none exist.



## **OPEN SPACE**

**Open Space Goal:** Preserve key parcels of the remaining undeveloped land as open space for resource protection, wildlife habitat, recreation, and groundwater recharge; to maintain the esthetic beauty and character of the community; and to limit the visual and fiscal impacts of development.

### **Open Space Policies**

1. Formally designate an entity or individual to help monitor and orchestrate implementation of the Open Space Plan with approval of the board of Selectmen and Town Administrator.
2. Improvement the management of town-owned open space and recreational areas
3. Enhance public access to and appropriate use of existing conservation lands; establish green corridors and or connections.

### **Open Space Actions**

1. Actively implement recommendations of the 2018 Open Space and Recreation Plan in order to maintain Bourne's rural character and visual appeal.
2. Give priority to those open space acquisitions within ACEC, Water Resource Districts, NHESP habitat areas and parcels adjacent to existing protected open space.
3. Inventory natural resources present on conservation lands, and identify the appropriate level and type of public access.
4. Consider revising zoning bylaws and subdivision regulations to increase the amount of open space preserved.
5. Educate Bourne residents and visitors about local open space, recreation, and land protection, and why it is important.
6. Continue to develop greenbelts between neighborhoods and villages by buying key parcels, mandating cluster developments, and generating public interest.
7. Support the activities of private organizations, such as the Bourne Conservation Trust, to acquire and preserve open space land and easements.
8. Establish a stewardship program to maintain town-owned open space.
9. Prevent adverse development impacts on existing open space by requiring new development to consider the proximity of existing open lands to new construction.
10. Encourage and assist private landowners to restore and preserve open land as well-maintained open space.

## **COMMUNITY DESIGN**

**Community Design Goal:** Envisions an attractive community with a broad range of residential choices, a strong commercial and industrial base, historic village centers providing daily needs for goods and services, and a sense of community that reflects its maritime location and rural heritage.

### **Community Design Policies**

1. Strengthen and improve established village centers so that they better serve the daily needs of their surrounding neighborhoods for goods and services.
2. Promote design and construction of housing, subdivisions and commercial properties that

reflects the distinctive character of Cape Cod.

3. Discourage strip commercial development in favor of village centers and planned industrial, commercial, or office parks.

#### Community Design Actions

1. Expand design standards and design review procedures now applied to Buzzards Bay to improve the visual quality of highways, business parks, and the other villages.
2. Encourage developers to include mixed use in their projects by using residential, retail, office and other commercial uses in village centers to serve local residents.
3. Continue to support planned development and improvement of Main Street in Buzzards Bay as Bourne's government and downtown commercial core, and as a regional center for marine-related education, research and entertainment.
4. Explore ways to better connect Downtown Buzzards Bay visually and physically to the Canal for recreational and boating access.
5. Consider revising the zoning bylaw to better moderate the size, mass, and setbacks of residential buildings relative to their lot sizes and neighboring structures.
6. Require deeper buffers between residential and commercial neighborhoods.
7. Preserve Bourne's agricultural land uses and the rural and maritime character of the community by protecting recognized and designated buildings and sites.
8. Mount a program of public education and business incentives that will encourage existing businesses to redesign their buildings and sites in a more attractive way, as has been done in downtown Buzzards Bay.

### **COASTAL RESILIENCY**

Coastal Resiliency Goal: To minimize and mitigate the effect of sea level rise, increasingly frequent and severe storms, and other climate-related hazards on the town's residents, economy, and infrastructure.

#### Coastal Resiliency Policies

1. Recognize that the climate in Bourne has changed significantly in recent decades, resulting in hotter summers, colder winters, and more severe and more frequent storms year-round.
2. Actively seek ways to reduce loss of life, property, infrastructure, and the impacts on environmental and cultural resources in Bourne from natural hazards.
3. Ensure mitigation measures are sensitive to natural features, historic resources, and community character.

#### Coastal Resiliency Actions

1. Appoint a Coastal Resiliency Advisory Committee to monitor and advocate town actions.
2. Work with state and regional agencies to create programs that encourage local power sources and reduce dependency on the national power grid.
3. Participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) program through enhanced floodplain management activities.
4. Work with officials of Joint Base Cape Cod to evaluate the risk of wild fires and take actions to reduce the risk.

5. Conduct public outreach to increase the number of subscribers to the Code Red system of communication with residents before, during, and after hazard events.
6. Develop and distribute hazard awareness information and conduct educational programs for the public.
7. Seek and take advantage of funding opportunities through the Municipal Vulnerability and Coastal Zone Management grants to implement Bourne's Hazard Mitigation Plan and to reduce the town's vulnerability to natural hazards.
8. Raise access roads to Wings Neck, Scraggy Neck, Patuisset, and Mashnee Island.
9. Coordinate local hazard mitigation planning and activities with those of Barnstable County, Plymouth County, and surrounding towns.
10. Encourage wind-resistant design techniques for new construction and reconstruction during the town's permitting process.
11. Move paper records stored in Town Hall and other vulnerable locations to safer sites outside of the floodplain.

### **CAPITAL FACILITIES AND INFRASTRUCTURE**

Capital Facilities and Infrastructure Goal: To identify needs and recommend means to provide adequate community facilities to meet Bourne's current and projected needs, without placing undue burdens on its financial resources.

#### Capital Facilities and Infrastructure Policies

1. Development of new infrastructure, whether by public agencies or private entities, shall be consistent with Bourne's Local Comprehensive Plan and the Cape Cod Commission Regional Policy Plan.
2. Public investments in infrastructure and facilities shall reinforce the traditional character, Cape Cod Placetypes, and village center development patterns of the town.

#### Capital Facilities and Infrastructure Actions

1. Review and consolidate former municipal facilities plans to create a comprehensive Capital Improvement Plan (CIP).
2. Update annually the five-year CIP as an effective tool to plan property acquisitions, development and redevelopment of structures and facilities, as well as replacement of major vehicles and equipment.
3. Create a Facilities Management Department and hire a fulltime Facilities Manager.
4. Consider adding construction management and project management to the Facilities Manager's role beyond building maintenance to leverage the position to further assist the town.
5. Consider expanding the new Facilities Management Department into an independent Buildings and Grounds Department within the DPW that includes full-time technicians such as carpenters, plumbers, electricians, and painters, so that less work has to be outsourced.
6. Conduct a comprehensive assessment of town facilities every five years.
7. Consider designating a portion of the short-term rental tax to wastewater facilities planning and development.
8. Reactivate the Wastewater Advisory Committee to monitor and coordinate wastewater



- planning and development in all areas of Bourne.
9. Implement an impact fee system to assure that all future development and redevelopment covers its fair share of the cost of building, buying or expanding capital facilities and assets related to the development.
  10. Acquire or reserve sites for future capital facilities before Bourne is fully developed in order to reduce future costs and community disruption.
  11. Conduct highest and best use studies on underutilized municipal buildings and facilities.

## **TRANSPORTATION**

**Transportation Goal:** To create a system of transportation alternatives that allows Bourne residents and visitors to move freely, economically, and efficiently within the town and between Bourne and other locations, on and off Cape Cod.

### **Transportation Policies**

1. Improve the flow of through traffic crossing Bourne, and separate through traffic from local traffic to allow both to move freely without interfering with each other.
2. Discourage through traffic from using local roads.
3. Encourage alternatives to automobile use and expand travel options for persons who cannot or prefer not to drive.

### **Transportation Actions**

1. Urge the Army Corps of Engineers to accelerate plans to replace the canal bridges.
2. Support the MassDOT plan to replace the Bourne Bridge Rotary with a conventional highway interchange.
3. Work with MassDOT to reconfigure the interchange between Route 25 and Scenic Highway, including removing Belmont Circle from the through traffic pattern.
4. As part of the rotary replacement, build a new northbound MacArthur Boulevard north of the landfill and convert the existing southbound lane to a two-way local service road.
5. Extend the Shining Sea Bicycle/Pedestrian Trail from North Falmouth to the Cape Cod Canal, and partner with the Cape Cod Commission to expand the Cape's bike path network.
6. Continue to push the MBTA to extend commuter rail service to Buzzards Bay.
7. Reconfigure intersections to increase safety at Five Corners, County and Clay Pond Roads, Shore and Barlow's Landing Roads, and County Road at Route 28A.
8. Encourage MassDOT to install a median barrier the full length of Scenic Highway.
9. Investigate building a new bicycle/pedestrian path between MacArthur Blvd, Clay Pond Road, and Monks Cove, generally following the layout of Valley Bars Road.
10. Promote construction of more park and ride lots near the Canal bridges.
11. Reconstruct Sandwich Road between the canal bridges into a divided parkway.
12. Encourage expanded and improved ferryboat services between off-Cape locations and the islands of Martha's Vineyard and Nantucket, as well as on-Cape locations.
13. Complete the proposed pedestrian/bicycle path between Gallo Ice Arena and the split on Sandwich Road.

## **ENERGY**

**Energy Goal:** To assure an uninterrupted supply of electricity, natural gas, and communications services to all Bourne residents and businesses, despite changes in climate and weather patterns.

### Energy Policy

1. Promote diversification of electrical sources to reduce reliance on the regional grid.
2. Encourage conservation and sustainable production of energy.
3. Reduce lighting that wastes energy, obscures the night sky, and bleeds onto abutting land.

### Energy Actions

1. Amend project plan review and design guidelines to include standards for solar orientation, green materials, wind turbines and other energy-efficient design concepts.
2. Take full advantage of the Massachusetts Green Communities Act to identify and fund improvements in energy efficiency and development of renewable energy resources.
3. Cooperate with efforts by OneCape to expand fiber optic internet service throughout town.
4. Strengthen and enforce the existing by-law to reduce excessive commercial lighting.
5. Continue to convert the town's fleet of vehicles to low-emission and energy efficient models that use hybrid power systems or alternative fuels such as propane or bio-diesel.
6. Work with utility companies to locate the most vulnerable distribution systems underground.
7. Identify steps to take advantage of new energy technologies, as they become market proven.
8. Adopt a policy to prohibit opening of windows in public buildings designed to have balanced heating and air conditioning systems.

## **WASTE MANAGEMENT**

Waste Management Goal: Continue to maximize recycling and composting of solid waste; to recycle or compost more than 60 percent of all solid waste by 2030; and to dispose of the waste that cannot be recycled in an economical and environmentally sound manner.

### Waste Management Policies

1. Minimize the amount of solid waste that is generated.
2. Maximize the amount of solid waste that is recycled.
3. Reduce financial dependency on landfill operations and extend the life of the landfill facility, while assuring that long-term environmental safety remains an overriding concern.

### Waste Management Actions

1. Plan for long-term sustainable development of the ISWM facility and its integrated approach to solid waste management, including potential operations utilizing innovative technologies that can manage materials beyond the closure of the landfill.
2. Monitor developing waste reduction programs and adopt successful models to reduce volumes of waste being generated by residents and businesses.
3. Reach out to the business community and multi-family residential developments to encourage compliance with the mandatory recycling bylaw.
4. Work with and support the Recycling Committee and the Bourne DPW on ways to expand public space recycling initiatives.
5. Educate Bourne residents about the operations of ISWM and improving the quality of single stream recycling through public speaking engagements, site tours, and open houses.
6. Work with the Bourne DPW to review and improve curbside collection efficiencies, identify problems and enhance enforcement of the mandatory recycling bylaw.
7. Continue Bourne's participation in regional household hazardous waste management



- collection programs in order to prevent hazardous waste from entering the landfill or otherwise being disposed of improperly.
8. Support initiatives at the state level to create a circular economy through programs such as extended producer responsibility.
  9. Continue to explore more economical or efficient options for disposing of non-recyclable wastes in an environmentally sound manner.
  10. Explore adoption of a toxic and hazardous materials bylaw or regulation based on the Cape Cod Commission's model.
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## **CULTURAL HERITAGE**

Cultural Heritage Goal: Protect and preserve the important historic and cultural features of the town's landscape, structures and community activities that help shape its special character, and to ensure that future development respects the traditions and distinctive character of Bourne's historic village centers.

### **Cultural Heritage Policies**

1. Encourage recognition and preservation of historic buildings, documents, artifacts, sites and trails.
2. Guide the character of new development and redevelopment through education and regulations that encourage design that honors Bourne's historic practices.
3. Support cultural heritage activities that contribute to a community's distinctive character and create pleasant memories for its residents and visitors.

### **Cultural Heritage Actions**

1. Appoint an advisory design review panel to review new construction and administer recommended design guidelines.
2. Prepare a publication that explains and illustrates design preferred guidelines, like the Cape Cod Commission Guidebook *Designing the Future to Honor the Past*.
3. Adopt a "landmark incentive program" to recognize individual buildings, sites and areas of cultural significance identified by the Bourne Historical Commission.
4. Tailor zoning to the unique character of each village center, including provisions for mixed use and flexible parking standards.
5. Set up a permit check list system that includes checking for historic significance before any building or demolition permit is issued.
6. Include protection of historic and archeological resources as one of the considerations for special permits.
7. Draft specific guidelines for regulating scenic roads to be included in the zoning bylaw instead of the general bylaws.
8. Initiate a continuing program to bring Bourne's diverse historic and cultural resources into the schools and community center through displays, plays, and guest lectures.
9. Create a traveling display of Bourne's history and cultural diversity for presentation at public events such as the Main Street Festival and county fair.

## **ECONOMY**

**Economy Goal:** Envisions Bourne as an attractive location for a diverse business community that provides rewarding year-round employment to town residents at many levels of skill, education and experience, while contributing to the town's economy and respecting its village structure and cultural heritage.

### **Economy Policies**

1. Ensure that commercial and industrial development in Bourne is responsive to the needs of the community for employment, taxes, and services.
2. Prefer businesses that are owned by local residents over businesses that divert money from the local economy to distant owners.
3. Recognize the economic benefit to Bourne generated by recreational activities such as marinas, golf courses, recreational trails, and the Cape Cod Baseball League.

### **Economy Actions**

1. Engage an experienced professional to oversee all community development activities in Bourne, and to assure that such development meets the needs of the community for high-quality jobs and a solid tax base.
2. Conduct a market needs assessment to compile a comprehensive inventory of job needs and to identify categories of businesses that would provide high-quality, well-paid jobs for Bourne residents.
3. Support the Bourne Financial Development Corporation (BFDC) as a more active partner with Bourne's government boards and committees, and assist the BFDC effort to create a business park for Blue Economy companies, clean industries, and start-ups in Bournedale.
4. Take advantage of the Massachusetts Maritime Academy and Bourne's proximity to the scientific and marine institutions of Woods Hole to promote "Blue Economy" businesses.
5. Evaluate significant business development proposals, both in Bourne and the larger region, for their ability to generate positive economic activity and fiscal impact to Bourne.
6. Expand design standards and reach of the design review committee to promote high-quality design and construction of commercial sites, buildings and signs.
7. Continue to work with and encourage private developers and local organizations to build and redevelop properties and business ventures in Downtown Buzzards Bay, in accordance with this Local Comprehensive Plan and related planning studies.
8. Investigate the possibility of creating a Growth Incentive Zone (GIZ) in North Sagamore, to streamline permitting and promote development of new commercial and residential growth.

## **HOUSING**

**Housing Goal:** 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.

### **Housing Policies**

1. Foster development of diverse neighborhoods with housing for all age and income groups, and with a focus on higher density developments in community activity centers.
2. Actively promote development and preservation of affordable housing in sufficient amounts to meet the needs of first-time homebuyers, renters, and others in need with limited incomes.



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

#### Housing Actions

1. Actively carry out the provisions of Bourne's Housing Production Plan to create affordable housing throughout the town and to attain the plan's goal to raise the share of affordable housing to at least ten percent of year-round resident households.
2. Promote private development of affordable housing through private/public partnerships, regulatory incentives, and tools such as the Local Initiative Program.
3. Facilitate development of rental housing units in areas with adequate utilities, road access and services, and with particular emphasis in the Buzzards Bay Growth Incentive Zone.
4. Revise the zoning bylaw to ease restrictions on "in-law" or year-round accessory apartments in single-family residential districts, by easing restrictions on rental, boarding, and lodging.
5. Create a system to give developers density bonuses or other incentives to create workforce housing units in Downtown Buzzards Bay.
6. Provide an amnesty program to legalize existing accessory apartments and bring them up to code for year-round rental.
7. Institute a program to salvage houses that might otherwise be demolished, and use tax title and other publicly owned properties for single-family or multifamily affordable housing.
8. Encourage, through property tax abatements and other incentives, homeowners who do not have heirs to adopt deed restrictions that would keep their houses affordable in perpetuity.
9. Create a program to acquire and rehabilitate foreclosed properties as affordable housing.
10. Develop educational programs and websites to promote creation of affordable housing and instruct those who qualify of how to gain access to it.
11. Preserve existing housing stock through use of federal, state, and local housing rehabilitation and emergency repair programs.

#### **RECREATION**

Recreation Goal: Provide a wide range of opportunities for active and passive recreation to meet the needs and desires of residents and visitors of all ages, abilities and interests.

#### Recreation Policies

1. Recognize and promote the importance of recreation to Bourne's economy, community character, and quality of life.
2. Encourage and support a wide range of recreational opportunities for persons of all ages, abilities and interests.
3. Preserve and enhance a broad range of opportunities for both active and passive recreation in the natural environment.

#### Recreation Actions

1. Actively promote and support extension of the Shining Sea Recreational Trail between North Falmouth and the canal, as this single action would fulfill the Recreation Goal as no other, and would meet all of the Recreation Policies.
2. Consider creating a recreation center with dedicated rooms for after school activities, child

care, and adult programs, in the Sagamore area, to supplement current activities at the Veteran's Memorial Community Center.

3. Create a Parks Department within the Department of Public Works to maintain parks, ball fields, and other recreational facilities throughout the town.
4. Continue to work with the Capital Facilities Committee to develop a five-year Capital Improvement Plan for recreational facilities.
5. Find appropriate locations and create a dog park and pickleball courts.
6. Continue to improve maintenance of existing playing fields, and other recreational facilities, using both volunteers and town employees.
7. Partner with the Department of Natural Resources to expand and protect public access to both freshwater and saltwater bodies for recreational activities.
8. Continue to evaluate all existing facilities and future plans for accessibility to persons of all ages and physical abilities.
9. Expand year-round recreation programs that appeal to teenagers and older adults, including opportunities for indoor walking areas.

### **HUMAN SERVICES**

Human Services Goal: Provide and support a broad range of human services that enhance the quality of living and meet the needs of a diverse population that includes children, teenagers, families, and elderly, as well as those facing financial, personal or health difficulties.

#### **Human Services Policies**

1. Maintain the traditional diversity of Bourne's population so that it continues to encompass a broad range of persons of all ages, interests and economic status.
2. Recognize the importance of quality of life and fulfillment of basic needs to the economic and social health of the community.
3. Encourage efforts by private and philanthropic interests to provide affordable housing, extended care facilities, and other human services.

#### **Human Services Actions**

1. Establish and staff a Human Services Department to coordinate all human service agencies, organizations, and activities in Bourne, so as to avoid duplication of effort and to allow the Council on Aging to focus solely on needs of the elderly.
2. Review and update the surveys of human services conducted by the Council on Aging and Barnstable County to assure that services continue to meet needs within Bourne.
3. Adopt a Human Services Outreach Plan based upon the human services surveys.
4. Expand and promote the Children's and Youth Council to develop and manage programs, and act as advocates, for children and teens.
5. Work with the Cape Cod Regional Transit Authority and local businesses to expand shuttle bus services throughout Bourne.
6. Adjust shuttle bus routes and services to better coincide with activities such as school open and close times, Community Center events, and retail hours.
7. Promote community and neighborhood awareness of the basic needs of elderly residents for food, safety and hygiene.
8. Pressure elected representatives for state, federal and private programs that provide basic



- preventive and acute care medical services for uninsured residents, and that encourage doctors to remain in private practice despite the high cost of maintaining a local practice.
9. Support organizations that provide emergency assistance and advocacy for families and individuals who are homeless or at risk of becoming homeless.

## **EDUCATION**

**Education Goal:** To coordinate and support all of the town's educational institutions and activities, in order to provide high-quality learning opportunities at all levels and in a broad range of subjects and specialties for people of all ages and interests.

### **Education Policies**

1. All students can learn, all decisions shall be made in the best interests of students, students learn best when actively involved in the process, and learning is more successful when school experiences have meaning for the students.
2. There is great opportunity to benefit all of the educational institutions in Bourne through collaboration and coordination of curriculum, programs, and activities.
3. Bourne recognizes and promotes the value of the various educational institutions as a unified benefit of living and operating a business in Bourne.

### **Education Actions**

1. Use Bourne's unique coalition of educational systems and its proximity to the marine and scientific institutions in Woods Hole to promote location and expansion of Blue Economy research, manufacturing, and service businesses in town.
2. Create a common online presence where all of Bourne's educational institutions, both public and private, can post information, activities, and announcements.
3. Appoint a standing Council of Education that meets at least quarterly, with representation from all of Bourne's educational institutions, town government, and the business community, to coordinate policies and activities in the best interests of all.
4. Explore opportunities for shared resources in the areas of facility use, student parking, and workforce housing, between the Maritime Academy and Downtown Buzzards Bay.
5. Establish a retail store on Main Street to sell clothing, souvenirs, and supplies representing the Maritime Academy, Upper Cape Tech, and Bourne schools, to benefit all three systems.
6. Develop joint educational ventures between the National Marine Life Center and all of Bourne's educational institutions.
7. Promote Bourne as a college town and center of marine education, research, manufacturing, and services.
8. Continue to encourage Science, Technology, Engineering, and Mathematics (STEM) educational initiatives and programs in the curriculum at all grade levels.

## **TABLE OF RECOMMENDED ACTIONS**

The following list all of the action items for each of the planning elements in the Local Comprehensive Plan, with assignment of primary responsibility for carrying out each action item, statement of anticipated date of completion, and level of priority. Additional boards, committees, and officials may be involved in carrying out actions, but are not necessarily listed

here.

Note that these action items are aspirational, not mandatory. Some are essential; others are optional; still others border on fantasy. They should be considered to be a wish list of possible ways to attain the goals and fulfill the policies listed in this plan.

Completion dates are listed as a general guide. Ongoing actions that have no set completion date are listed as *Cont.* for Continuous

Priorities (P) = High; (H) = Medium (M); Low = (L).

Element	Responsibility	Completion Date	Priority
<b>WATER RESOURCES</b>			
Identify, remediate, treat, or contain identified sources of pollution in coastal embayments and estuaries in an effort to attain established Total Maximum Daily Loads (TMDL).	Con Com Stormwater Working Group	Cont.	H
Create a comprehensive wastewater management plan to upgrade public and private wastewater treatment facilities and methods in appropriate areas, especially in densely developed neighborhoods, and actively seek grants and other funding to carry out the plan.	Sewer Com	2021	H
Promote public/private initiatives to create neighborhood wastewater treatment facilities in lieu of individual septic systems or regional collection and treatment systems.	BOH	Cont.	H
Take advantage of the Pond and Lake Stewardship (PALS) program to compile a biological, chemical, and physical profile of each fresh water pond and waterway, and continually monitor all fresh water areas for changes in the profile.	Con Com	Cont.	H
Encourage and assist the Buzzards Bay and North Sagamore Water Companies to identify and develop new well locations to serve expanding development north of the canal.	Con Com	Cont.	H
Initiate a continuing public education and incentive program on the effects of pollution from septic systems, stormwater runoff, yard fertilization, recreational boating, pet waste, birds and wild animals, and overdevelopment.	Con Com Pollution Task Force	Cont.	M
Work with adjacent towns and the Massachusetts Highway Department to enforce Best Management Practices for controlling storm water runoff from roads.	Con Com, DPW, Stormwater Working	Cont.	M
Continue to collaborate with Joint Base Cape Cod officials to clean up pollution from the base.	BOS	Cont.	M
Adopt water conservation plans that encourage installation and use of water-saving and recycling	BOH, Water Districts	2021	M



devices such as cisterns, gray-water tanks, and alternative septic systems.			
Improve communications between town, state, and federal officials to coordinate policies and programs related to water quality.	BOS	Cont.	M

### **OCEAN RESOURCES**

Use the Waterways Improvement Fund and funding from the Seaport Economic Council to support rapidly increasing costs of coastal dredging, facilities maintenance, and other coastal environmental quality activities.	Shore & Harbor, Natural Resources	Cont.	H
Review and or revise the Floodplain Zoning Bylaw and pursue other actions recommended in Bourne's 2018 Hazard Mitigation Plan and the Cape Cod Commission's Regional Policy Plan.	Planning Bd Bldg Insp, Engineering	2021	H
Cooperate and support organizations and programs that monitor and evaluate coastal waters, including the Coalition for Buzzards Bay and Massachusetts Estuaries Project.	BOS	Cont.	H
Conduct an assessment and evaluation of ocean resources throughout Bourne.	Natural Res	2020	M
Prepare and publicize a Coastal Resources Management Plan that addresses conflicts between shellfish habitat, navigation, recreation, wildlife and plant habitat, and development.	Natural Res	2021	M
Adopt additional regulations, including a storm water bylaw, required to meet the Phase II Stormwater bylaw standards of the federal Clean Water Act.	BOS, PB, Stormwater Working group	2021	M
Restore and maintain natural tidal flows to salt marsh areas.	Con Com	Cont.	M
Continue to monitor use of, and enforce regulation related to, waterfront fueling facilities, sewage pump-out stations, boats, storm drains, and septic disposal systems.	Natural Res	Cont.	M
Take advantage of the Maritime Academy and the Canal in all efforts to promote and protect Bourne's ocean resources	BOS	Cont.	M
Expand the shellfish propagation and habitat restoration program in accordance with the Coastal Resources Management Plan.	Natural Res	Cont.	M
Inspect and upgrade culverts, storm drains, and other infrastructure to prioritize retrofits and improvements, including dredging where appropriate, in order to improve water quality.	DPW	2020	M

### **WETLAND RESOURCES**

Remove barriers to tidal flow in coastal wetlands, and restore and maintain tidal flows to salt marsh areas	Con Com	2019	H
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Protect beaches, dunes, coastal banks, and salt marshes from human alteration.		Cont.	H
Continue the existing successful maintenance and improvement dredging program.	Shore & Harbor	Cont.	M
Create and implement regulations to provide undisturbed natural or vegetated buffer areas boarding wetlands to reduce damaging runoff and protect their natural functions.	Con Com	2021	M
Actively promote public awareness of the value of wetlands and the importance of protecting them; and educate the public on what they can do through social media and mailings	Con Com	Cont.	M
Seek funding by grants or appropriations to support efforts identify and remediate impaired coastal embayments.	Con Com	Cont.	M
Develop a wetlands protection program for inclusion in Bourne's school curriculum.	Con Com / School Dept.	2021	L
Create resource management plans for Bourne's ACEC areas that are consistent with published State guidelines.	Con Com	2022	L

#### **WILDLIFE AND PLANT HABITAT**

Post biologically sensitive areas to prevent damage from walkers and cyclists.	Con Com	2021	H
Support and work to implement the Massachusetts Endangered Species Act.	Con Com	Cont.	M
Develop strategies to control and remove invasive species on publicly owned land.	Con Com	Cont.	M
Plant native vegetation as needed to enhance or restore wildlife habitat.	Con Com	Cont.	M
Cluster development away from the most sensitive areas of a site.	Planning Bd.	Cont.	M
Keep identified wildlife migration corridors unimpeded by development or fencing.	Con Com, PB	Cont.	L
Promote best management practices to protect wildlife and plant habitat from adverse impacts.	Con Com	Cont.	M
Minimize clearing and grading of development sites.	Planning Bd.	Cont.	M
Preserve critical wildlife and plant habitats during the design/permitting stage of developments.	Planning Bd.	Cont.	M
Acquire conservation easements over private land to preserve wildlife corridors.	Con Com, CPC	Cont.	L
Revise regulations to protect wetland buffers or create buffers where none exist.	Con Com	Cont.	M

#### **OPEN SPACE**

Actively implement recommendations of the 2018 Open Space and Recreation Plan in order to maintain Bourne's rural character and visual appeal.	OSC	Cont.	H
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Pursue acquisition or protection of key parcels through land bank, Community Preservation Act, state and federal grants, and other sources of funding.	OSC	Cont.	H
Conduct an Town property inventory of potential viewsheds and work to open them.	OSC	Cont.	L
Revise zoning bylaws and subdivision regulations to increase the amount of open space preserved and to ensure that it remains open.	Planning Bd.	2021	H
Fully utilize advanced planning techniques such as transfer of development rights, land swapping, cluster development, and planned unit development to maximize preservation of open land.	Planning Bd.	2021	H
Continue to develop greenbelts between neighborhoods and villages by buying key parcels, mandating cluster developments, and generating public interest.	OSC	Cont.	M
Support the activities of private organizations, such as the Bourne Conservation Trust, to acquire and preserve open space land and easements.	OSC	Cont.	M
Establish a stewardship program to maintain town-owned open space.	OSC, BOS	Cont.	L
Prevent adverse development impacts on existing open space by requiring new development to consider the proximity of existing open lands to new construction.	Planning Bd.	Cont.	L
Considering limiting occupancy of new dwellings in certain areas of the floodplain to seasonal use.	PB, BOH, ZBA	Cont.	L
Encourage and assist private landowners to restore and preserve open land as well-maintained open space.	Planning Bd.	Cont.	L

### **COMMUNITY DESIGN**

Expand design standards and design review procedures now applied to Buzzards Bay to improve the visual quality of highways, business parks, and the other villages.	Planning Bd.	2023	H
Continue to support planned development and improvement of Main Street in Buzzards Bay as Bourne's government and downtown commercial core, and as a regional center for marine-related education, research and entertainment.	Planning Bd.	Cont.	M
Revise the zoning bylaw to better moderate the size, mass, and setbacks of residential buildings relative to their lot sizes and neighboring structures.	Planning Bd.	2023	H
Require deeper buffers between residential and commercial neighborhoods.	Planning Bd.	2025	M
Preserve Bourne's agricultural land uses and the rural and maritime character of the community by protecting recognized and designated buildings and sites.	Hist. Com.	Cont.	M
Amend zoning bylaws to require development and redevelopment to redesign their buildings and sites as required in the Downtown district.	Planning Bd.	2020	L

### **COASTAL RESILIENCY**

Create a Coastal Resiliency Advisory Committee (CRAC) to advocate for Coastal Resiliency town actions.	BOS	2021	H
Work with state and regional agencies to create programs that encourage local power sources and reduce dependency on the national power grid.	Emer Pl. Com.	Cont.	H
Participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS) program through enhanced floodplain management activities.	Emer Pl. Com.	Cont.	H
Work with officials of Joint Base Cape Cod to evaluate the risk of wild fires and take actions to reduce the risk.	Emer Pl. Com.	Cont.	H
Conduct public outreach to increase the number of subscribers to the Code Red system of communication with residents before, during, and after hazard events.	Emer Pl. Com.	Cont.	M
Develop and distribute hazard awareness information and conduct educational programs for the public.	Emer Pl. Com.	Cont.	M
Seek and take advantage of funding opportunities through the Municipal Vulnerability and Coastal Zone Management grants to implement Bourne's Hazard Mitigation Plan and to reduce the town's vulnerability to natural hazards.	Emer Pl. Com../CRAC	Cont.	M
Perform a feasibility study to assess raising roads to Wings Neck, Scraggy Neck, Patuisset, and Mashnee Island.	DPW/Con Com/Eng.	2024	M
Coordinate local hazard mitigation planning and activities with those of Barnstable County, Plymouth County, and surrounding towns.	Emer Pl. Com., Con Com	Cont.	L
Move paper records stored in Town Hall and other vulnerable locations to safer sites outside of the floodplain.	Town Clerk/BOS	2021	L

### **CAPITAL FACILITIES AND INFRASTRUCTURE**

Complete or abandon the remaining capital facilities and infrastructure projects listed in the 2009 Cecil Group Municipal Facilities Plan.	BOS	2021	H
Continue to annually update the five-year Capital Improvement Plan as an effective tool to plan property acquisitions, development and redevelopment of structures and facilities, as well as replacement of major vehicles and equipment.	Capital Outlay Comm.	Cont.	H
Require Professional Engineer certification of Facilities Director.	BOS	2020	H
Expand the Facilities Management Department into an independent Buildings and Grounds Department within the DPW that includes full-time technicians such as carpenters, plumbers, electricians, and painters, so that less work has to be outsourced.	Dept. Public Works	2020	M



Conduct a comprehensive assessment of town facilities every five years.	Capital Outlay Comm.	2020	M
Designate a portion of the short-term rental tax to wastewater facilities planning and development.	BOS	2020	M
Reactivate the Wastewater Advisory Committee to monitor and coordinate wastewater planning and development in all areas of Bourne.	BOS	2020	M
Implement an impact fee system to assure that all future development and redevelopment covers its fair share of the cost of building, buying or expanding capital facilities and assets related to development.	Planning Bd.	2020	M
Acquire or reserve sites for future capital facilities before the town is fully developed in order to reduce costs and community disruptions.	Capital Outlay Comm.	Cont.	M
Conduct highest and best use studies on underutilized municipal buildings and facilities.	Capital Outlay Comm.	2020	L

### **TRANSPORTATION**

Urge the Army Corps of Engineers to accelerate plans to replace the canal bridges.	BOS	Cont.	H
Support the MassDOT plan to replace the Bourne Bridge Rotary with a conventional highway interchange.	BOS	Cont.	H
Work with MassDOT to reconfigure the interchange between Route 25 and Scenic Highway, including removing Belmont Circle from the through traffic pattern.	BOS	Cont.	H
As part of the rotary replacement, build a new northbound MacArthur Boulevard north of the landfill and convert the existing southbound lane to a two-way local service road.	BOS	Cont.	H
Extend the Shining Sea Bicycle/Pedestrian Trail from North Falmouth through all of the village centers along the western shore to the Canal.	BOS	Cont.	H
Continue to push the MBTA to extend commuter rail service to Buzzards Bay.	BOS	Cont.	H
Reconfigure intersections to increase safety at Five Corners, County and Clay Pond Roads, Shore and Barlow's Landing Roads, and County Road at Route 28A.	DPW	2021	H
Encourage MassDOT to install a median barrier the full length of Scenic Highway.	BOS	Cont.	M
Build a new bicycle/pedestrian path between MacArthur Blvd, Clay Pond Road, and Monks Cove, generally following the layout of Valley Bars Road.	DPW	2021	L
Promote construction of more park and ride lots near the Canal bridges.	BOS	Cont.	L

Encourage expanded and improved ferryboat services between off-Cape locations and the islands of Martha's Vineyard and Nantucket, as well as on-Cape locations.	BOS	Cont.	L
Complete the proposed pedestrian/bicycle path between the Gallo Ice Arena and the split on Sandwich Road.	DPW	2024	L

### **ENERGY**

Amend project plan review and design guidelines to include standards for solar orientation, green materials, wind turbines and other energy-efficient design concepts.	Planning Bd.	2020	H
Take full advantage of the Massachusetts Green Communities Act to identify and fund improvements in energy efficiency and development of renewable energy resources.	Emer Pl. Com.	Cont.	H
Require energy audits for all new developments and major redevelopments.	Planning Bd.	2020	M
Cooperate with efforts by OneCape to expand fiber optic internet service throughout town.	BOS	Cont.	M
Strengthen and enforce the existing by-law to reduce excessive commercial lighting.	Planning Bd.	2021	L
Continue to convert the town's fleet of vehicles to low-emission and energy efficient models that use hybrid power systems or alternative fuels such as propane or bio-diesel.	DPW	Cont.	L
Work with utility companies to locate the most vulnerable distribution systems underground.	Emer Pl. Com.	Cont.	L
Identify steps to take advantage of new energy technologies, as they become market proven.	Emer Pl. Com.	Cont.	L
Adopt a policy to prohibit opening of windows in public buildings designed to have balanced heating and air conditioning systems.	BOS	2020	L

### **WASTE MANAGEMENT**

Plan for long-term sustainable development of the ISWM facility and its integrated approach to solid waste management, including potential operations utilizing innovative technologies that can manage materials beyond the closure of the landfill.	ISWM	Cont.	H
Monitor developing waste reduction programs and adopt successful models to reduce volumes of waste being generated by residents and businesses.	ISWM	Cont.	H
Reach out to the business community and multi-family residential developments to encourage compliance with the mandatory recycling bylaw.	Recycling Comm.	Cont.	H
Work with and support the Recycling Committee and the Bourne DPW on ways to expand public space recycling initiatives.	ISWM	Cont.	M



Educate Bourne residents about the operations of ISWM and improving the quality of single stream recycling through public speaking engagements, site tours, and open houses.	ISWM	Cont.	M
Work with the Bourne DPW to review and improve curbside collection efficiencies, identify problems and enhance enforcement of the mandatory recycling bylaw.	ISWM	Cont.	M
Continue Bourne's participation in regional household hazardous waste management collection programs in order to prevent hazardous waste from entering the landfill or otherwise being disposed of improperly.	ISWM	Cont.	M
Support initiatives at the state level to create a circular economy through programs such as extended producer responsibility.	Recycling Comm.	Cont.	H
Continue to explore more economical or efficient options for disposing of non-recyclable wastes in an environmentally sound manner.	ISWM	Cont.	M
Explore adoption of a toxic and hazardous materials bylaw or regulation based on the Cape Cod Commission's model.	ISWM	Cont.	L

### **CULTURAL HERITAGE**

Appoint an advisory design review panel to review new construction and administer recommended design guidelines.	BOS, PB	2020	H
Prepare a publication that explains and illustrates design preferred guidelines, like the Cape Cod Commission Guidebook <i>Designing the Future to Honor the Past</i> .	Historical Comm.	2020	H
Adopt a "landmark incentive program" to recognize individual buildings, sites and areas of cultural significance identified by the Bourne Historical Commission.	Historical Comm.	2020	H
Tailor zoning to the unique character of each village center, including provisions for mixed use and flexible parking standards.	Planning Bd.	2021	H
Include protection of historic and archeological resources as one of the considerations for special permits.	Planning Bd.	2021	M
Draft specific guidelines for regulating scenic roads to be included in the zoning bylaw instead of the general bylaws.	Planning Bd.	2021	M
Initiate a continuing program to bring Bourne's diverse historic and cultural resources into the schools and community center through displays, plays, and guest lectures.	Historical Comm.	2020	M
Create a traveling display of Bourne's history and cultural diversity for presentation at public events such as the Main Street Festival and county fair.	Historical Comm.	2020	L

### **ECONOMY**

Engage an experienced professional to oversee community development activities in Bourne, and to assure that such development meets the needs of the community for high-quality jobs and a solid tax base.	BOS	2020	H
Conduct a market needs assessment to compile a comprehensive inventory of job needs and to identify categories of businesses that would provide high-quality, well-paid jobs for Bourne residents.	Town Planner	2020	H
Support the Bourne Financial Development Corporation (BFDC) as a more active partner with the town's government boards and committees, and assist the BFDC effort to create a business park for Blue Economy companies and start-ups in Bournedale.	BOS	2020	H
Take advantage of the Massachusetts Maritime Academy and Bourne's proximity to the scientific and marine institutions of Woods Hole to promote "blue economy" businesses.	BOS	2020	M
Evaluate significant business development proposals, both in Bourne and the larger region, for their ability to generate positive economic activity and fiscal impact to Bourne.	Planning Bd.	Cont.	M
Expand design standards and reach of the design review committee to promote high-quality design and construction of commercial sites, buildings and signs.	Planning Bd.	2020	L
Continue to work with and encourage private developers and local organizations to build and redevelop properties and business ventures in Downtown Buzzards Bay, in accordance with this Local Comprehensive Plan and related planning studies.	Planning Bd.	Cont.	L
Investigate the possibility of creating a Growth Incentive Zone (GIZ) in North Sagamore, to streamline permitting and promote development of new commercial and residential growth.	Planning Bd., BOS, Town Planner	2020	L

## **HOUSING**

Actively carry out the provisions of Bourne's Housing Production Plan to create affordable housing throughout the town and to attain the plan's goal to raise the share of affordable housing to at least ten percent of year-round resident households.	Housing Trust/Partnership	Cont.	H
Promote private development of affordable housing through private/public partnerships, regulatory incentives, and tools such as the Local Initiative Program.	Housing Trust	Cont.	H
Facilitate development of rental housing units in areas with adequate utilities, road access and services, and with particular emphasis in the Buzzards Bay Growth Incentive Zone.	Housing Trust/Partnership	Cont.	H



Revise the zoning bylaw to ease restrictions on “in-law” or year-round accessory apartments in single-family residential districts, with restrictions on short-term or seasonal use.	Planning Bd., Housing Partnership	2021	M
Create a system to give developers density bonuses or other incentives to create workforce housing units in Downtown Buzzards Bay.	Planning Bd.	2021	M
Provide an amnesty program to legalize existing accessory apartments and bring them up to code for year-round rental.	Housing Trust, ZBA	2021	M
Institute a program to salvage houses that might otherwise be demolished, and use tax title and other publicly owned properties for single-family or multifamily affordable housing.	Housing Trust	2020	M
Encourage, through property tax abatements and other incentives, homeowners who do not have heirs to adopt deed restrictions that would keep their houses affordable in perpetuity.	Housing Trust	Cont.	L
Create a program to acquire and rehabilitate foreclosed properties as affordable housing.	Housing Trust/Partnership	2020	L
Develop educational programs and websites to promote creation of affordable housing and instruct those who qualify of how to gain access to it.	Housing Part.	2020	L
Preserve existing housing stock through use of federal, state, and local housing rehabilitation and emergency repair programs.	Housing Trust	Cont.	L

## **RECREATION**

Actively promote and support extension of the Shining Sea Recreational Trail between North Falmouth and the canal, as this single action would fulfill the Recreation Goal as no other, and would meet all of the Recreation Policies.	Recreation Comm.	Cont.	H
Consider creating a recreation center with dedicated rooms for after school activities, child care, and adult programs, in the Sagamore area, to supplement current activities at the Veteran's Memorial Community Center	Recreation Comm.	Cont.	H,
Create a Parks Department within the Department of Public Works to maintain parks, ball fields, and other recreational facilities throughout the town.	DPW	2021	H
Continue to work with the Capital Facilities Committee to develop a five-year Capital Improvement Plan for recreational facilities.	Recreation Comm.	Cont.	M
Find appropriate locations and create a dog park and pickleball courts.	Recreation Comm.	Cont.	L
Continue to improve maintenance of existing playing fields, and other recreational facilities, using both volunteers and town employees.	Recreation Comm.	Cont.	L

Partner with the Department of Natural Res to expand and protect public access to both freshwater and saltwater bodies for recreational activities.	Recreation Comm.	Cont.	L
Continue to evaluate all existing facilities and future plans for accessibility to persons of all ages and physical abilities.	Recreation Comm.	Cont.	L
Expand year-round recreation programs that appeal to teenagers and older adults, including, opportunities for indoor walking areas.	Recreation Comm.	Cont.	L

### **HUMAN SERVICES**

Establish and staff a Human Services Department to coordinate all human service agencies, organizations, and activities in Bourne, so as to avoid duplication of effort and to allow the Council on Aging to focus solely on needs of the elderly.	BOS	2020	H
Review and update the surveys of human services conducted by the Council on Aging and Barnstable County to assure that services continue to meet needs within the town.	Human Services Com.	2020	H
Adopt a Human Services Outreach Plan based upon the human services surveys.	Human Services Com.	2020	H
Expand and promote the Children's and Youth Council to develop and manage programs, and act as advocates, for children and teens.	Human Services Com.	2020	M
Work with the Cape Cod Regional Transit Authority and local businesses to expand shuttle bus services throughout the town.	Human Services Com.	2020	M
Adjust shuttle bus routes and services to better coincide with activities such as school open bus services throughout the town.	BOS	2020	M
Promote community and neighborhood awareness of the basic needs of elderly residents for food, safety and hygiene.	Human Services Com.	2020	M
Pressure elected representatives for state, federal and private programs that provide basic preventive and acute care medical services for uninsured residents, and that encourage doctors to remain in private practice despite the high cost of maintaining a local practice.	Human Services Com.	2020	L
Support organizations that provide emergency assistance and advocacy for families and individuals who are homeless or at risk of becoming homeless.	Human Services Com.	2020	L

### **EDUCATION**

Use Bourne's unique coalition of educational systems and its proximity to the marine and scientific institutions in Woods Hole to promote location and expansion of Blue Economy research, manufacturing, and service businesses in town.	BOS	Cont.	H
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Create a common online presence where all of Bourne's educational institutions, both public and private, can post information, activities, and announcements.	School Committee	2020	H
Appoint a standing Council of Education that meets at least quarterly, with representation from all of Bourne's educational institutions, town government, and the business community, to coordinate policies and activities in the best interests of all.	BOS	2020	H
Explore opportunities for shared resources in the areas of facility use, student parking, and workforce housing, between the Maritime Academy and Downtown Buzzards Bay.	Planning Bd.	2020	M
Encourage establishment of a retail store on Main Street to sell clothing, souvenirs, and supplies representing the Maritime Academy, Upper Cape Tech, and Bourne schools to benefit all three systems.	School Committee	2020	M
Develop joint educational ventures between the National Marine Life Center and all of Bourne's educational institutions.	School Committee	Cont.	M
Promote Bourne as a college town and center of marine education, research, manufacturing, and services.	BOS	Cont.	L
Continue to encourage Science, Technology, Engineering, and Mathematics (STEM) educational initiatives and programs in the curriculum at all grade levels.	School Committee	School Com.	L

**ARTICLE 13:** 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 **Capital Improvements and Capital Projects**, or take any other action in relation thereto.  
***Sponsor – Capital Outlay Committee***

CAPITAL OUTLAY REPORT FOR FY2020					
	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
1	Conservation	Scanning of Conservation Documents	\$ 51,000.00		Free Cash
2	DNR	Barlows Landing Dinghy Dock	\$ 38,000.00		Waterways Fund
3	DNR	Garage Heating System	\$ 11,500.00		Free Cash
4	DPW	Sanitation/Recycling Packer	\$365,000.00	Ch 44, Sec 7(1)	Borrowing
5	DPW/ Facilities	Facilities Management Software	\$ 20,500.00		Free Cash

6	Engineering	Sagamore Beach Fire Dept Parking lot expansion design	\$ 40,000.00		Free Cash
7	ISWM	Sanitation/Recycling Packer	\$365,000.00	Ch 44, Sec 7(1)	Borrowing
			<u>\$891,000.00</u>		

**ARTICLE 14:** 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.

***Sponsor – The Haven Center, Inc.***

**ARTICLE 15:** To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or gift, a **parcel of land in the Town of Bourne shown as Lot 1 on the plan recorded in the Barnstable County Registry of Deeds in Plan Book 675, Page 72 entitled “Plan on Land of Assessor’s Map 52, Parcel 41, MacArthur Boulevard, Bourne, MA prepared for Flyover Nominee Trust,** Prepared by Green Seal Environmental, Inc. Scale 1”=80’, dated May 30, 2018”, a copy of which is on file at the Office of the Town Clerk, consisting of approximately 11 acres in total, owned by Mac Hunter, LLC, and designated by Bourne Assessors Map 52, Parcel 41, for conservation and wildlife habitat protection under the provisions of M.G.L. Ch. 40, and Article 97 of the Articles of Amendment of the Massachusetts Constitution, and for mitigation purposes for the Town of Bourne, Department of Integrated Solid Waste Management Facility, with the care, custody, control and management of such parcel to be vested with the Bourne Conservation Commission, pursuant to M.G.L. Chapter 40, Section 8C, and to appropriate or transfer available funds from the Integrated Solid Waste Management Enterprise Fund retained earnings, or borrow a sum of money, for the purposes of this article, and, if necessary, to authorize the Bourne Board of Selectmen and Bourne Conservation Commission to grant a qualified organization a perpetual conservation restriction pursuant to the provisions of M.G.L. Chapter 184, Sections 31-33, protecting the property for the purposes for which it is acquired, or act on anything in relation thereto.

***Sponsor – Board of Selectmen***

**ARTICLE 16:** To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or gift a parcel of **land in the Town of Bourne shown as Lot 2 on the plan recorded in the Barnstable County Registry of Deeds in Plan**



**Book 675, Page 72 entitled “Plan of Land of Assessor’s Map 52, Parcel 41, MacArthur Boulevard, Bourne, MA prepared for Flyover Nominee Trust,** Prepared by Green Seal Environmental, Inc., Scale 1”=80’, dated May 30, 2018,” a copy of which is on file at Office of The Town Clerk, consisting of approximately 6.5 acres, owned by Flyover Nominee Trust, Kathryn L. Harding Trustee, and designated by Bourne Assessors Map 52, Parcel 96, for conservation and wildlife habitat protection under the provisions of M.G.L. Ch. 40, and Article 97 of the Articles of Amendment of the Massachusetts Constitution, and for mitigation purposes for the Town of Bourne, Department of Integrated Solid Waste Management Facility, with the care, custody, control and management of such parcel to be vested with the Bourne Conservation Commission, pursuant to M.G.L. Chapter 40, Section 8C, and to appropriate or transfer from funds from the Integrated Solid Waste Management Enterprise Fund retained earnings, or borrow a sum of money, for the purposes of this article, and, if necessary, to authorize the Bourne Board of Selectmen and Bourne Conservation Commission to grant to a qualified organization a perpetual conservation restriction pursuant to the provisions of M.G.L. Ch. 184, Sections 31-33, protecting the property for the purposes for which it is acquired, or act on anything in relation thereto.

***Sponsor – Board of Selectmen***

**ARTICLE 17:** To see if the Town will vote to authorize the Board of Selectmen acting through the Town Administrator and after advice and consultation with Special Town Counsel appointed for such advice and consultation, to acquire by purchase or gift, a parcel of the land together with the buildings thereon or any portion thereof generally located at 0 County Road and 100 Doctor Julius Kelly Lane in the Town of Bourne and shown as Assessor’s Parcels 23 and 54 on Assessor’s Map 44, for the purpose of the maintenance of community gardens, the placement and construction of a fire station, and for such other lawful and permissible uses or purposes deemed to be in the best interest of the Town by the Board of Selectmen and to take all action in connection with such purchase, and to enter into a contract for the acquisition thereof by the Town upon such terms and conditions deemed to be in the best interest of the Town by the Board of Selectmen, to raise or transfer and appropriate the funds necessary for the purchase of said property and conditioned upon obtaining any other or further approvals as may be required by law to effectuate the intended purpose or purposes of such purchase.

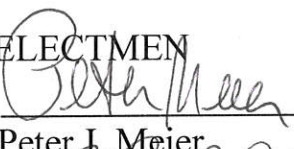
***Sponsor – Board of Selectmen***



Approved: October 8, 2019

BOARD OF SELECTMEN

  
Judith MacLeod Froman

  
Peter J. Meier

  
James L. Potter

  
Jared P. MacDonald

  
George G. Slade, Jr.

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 \_\_\_\_\_, 2019

\_\_\_\_\_  
Constable

Received in the Town Clerk's Office \_\_\_\_\_

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