

## **CONSERVATION COMMISSION MINUTES**

**January 22, 2015 ~ 7 pm ~ Lower Conference Room, Bourne Town Hall**

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

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

Michael Rausch recording meeting tonight from Bourne Enterprise.

Members present: Chm. Gray, Rob Palumbo, Susan Weston, Thomas Ligor, and associate member Paul Szwed.

Members excused: V. Chm. Martha Craig Rheinhardt, Peter Holmes and Betsy Kiebala

### **Requests for Determination of Applicability**

**1 – Evelyn Bronsdon**

**CC15-03**

**96 Williams Avenue, Pocasset**

**Upgrade to new Title V septic system within 100 FT of a Wetland Resources Area**

Shawn MacInnes representing – the old septic system failed and proposing to remove the existing leaching system and replace in front of property.

Brendan Mullaney – the new system will be an improvement over the failed system. The resource area as shown is an approximation, the board could stamp the resource area not approved for this filing. In case of any future work on the property it could be more accurately defined, as associated with Lily Pond. No other concerns with the project.

Ligor – asked about a water table issue. Mr. MacInnes said there is a water table issue. The front of the yard is mounded and the rest of the street is much lower. No trees will be taken out.

No further board comment.

Leona Bombachi – concerned about the water table issue and the 4 FT ground water level as she owns a home in the area. She asked how the board can help her address her issue with her home at a later time.

Brendan Mullaney – this is in a fully, developed neighborhood, regulations are enforced to the maximum extent applicable for the smaller lots. When the property changes hands, the new owner has to bring the system up to compliance to meet new Title V guidelines. A new septic almost always will be an improvement over what is in the ground. He explained the process for the 4 FT ground water level.

No further public comment.

Palumbo moved and seconded by Ligor a Negative Three Determination. Unanimous vote.

## **2 – Francis Wallace**

**CC15-04**

**51 Tahanto Road, Pocasset**

**Upgrade to new Title V septic system within an AE Flood Zone, within 100 FT of a Wetland Resource Area, and within the 200 FT Riverfront Area**

Jack Landers-Cauley representing – the property was inspected for Title V and failed due to being too close to the ground water. Applicant proposes to remove the existing system and replace with a Title V compliance. The lot is within the 200 FT setback and the system is tucked away in the south east corner of the lot; the separation is greater than 4 FT.

Brendan Mullaney – the system is as far away from the resource area as far as the lot will allow. No other concerns with the project.

No board comment.

No public comment.

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

## **Notices of Intent**

**1 - Mass Maritime Academy**

**SE7-1908**

**Stanley Humphries, LEC Environmental Consultants**

**101 Academy Drive, Buzzards Bay**

**Construct a waterfront protection project including a pile supported concrete pier, associated dredging and reuse of dredged material and all associated facilities, utilities and appurtenances within AE and VE Flood Zones, within a Wetland Resource Area and within 100 FT of a Wetland Resource Area  
(Continued from 1/8/15)**

Paul Szwed recused himself from discussion and possible vote.

Stan Humphries representing – nothing further to present tonight.

Brendan Mullaney – received quotes regarding a 3<sup>rd</sup> party review of the pier sent to different waterfront engineering and consulting firms. Proposed costs from the firm quotes were given to the board. All seemed competent; some have more experience with this specific type of design and scope than others. Costs varied. At this time we can discuss or take a vote or review more thoroughly.

Chm. Gray - suggested Brendan Mullaney and TA Guerino review and make a decision based on their review of the engineering design of the pier. The board will focus on the dredging activity and where the dredge spoil will be deposited (i.e. the issue of trucks, strain on infrastructure, etc.).

Brendan Mullaney – once selected, he will run by the Chairman. Mass State Building College Authority who will transfer the funds to Bourne who can then send to the engineers.

Chm. Gray – the board is looking for assurance of the structure in the VE zone and subject to ice forces – will the structure be able to withstand forces? At this time he would like to discuss and possibly vote on Bylaw fees.

Brendan Mullaney – the fees can be waived at the discretion of the board for educational or non-profit institutions - MMA would qualify.

Ligor moved and Weston seconded to waive the fee. Unanimous vote.

Brendan Mullaney – will work with John Logan from DMF, Tim Mullen from Bourne DNR and Stan Humphries for a sight visit date.

Chm. Gray – he clarified the dredge de-watering area needed to be 25 meters from eelgrass beds, in accordance with DMF comments.

Joe Roy – asked where the board anticipates to meet. Brendan Mullaney suggested the end of Taylor Road, next to the baseball field near the Beachmoor.

Chm. Gray – we need to know the difference of trucking vs. barging costs. Brendan Mullaney said the difference is in the mechanism in which the material is dredged. The county dredge comes at a reduced rate and uses hydraulic techniques, other technique is mechanical which can be more costly.

Chm. Gray – looking for the design of the enhanced dune. He is requesting information from Stan Humphries for some indication of what would happen to that enhanced dune in a typical hurricane velocity event. If the dune doesn't hold, where does it all end up?

Ligor – asked if the commercial fisherman will be called if there are shellfish present while dredging. Chm. Gray said they will be taken out and relocated.

This hearing is continued to 2/5/15 to allow for additional information generated.

**Approval of Minutes**

Ligor moved and seconded by Weston to approve minutes of 12/18/14 as written. Unanimous vote.

**Excuse Absent Members**

Palumbo moved and seconded by Weston to excuse Martha Craig-Rheinhardt, Peter Holmes and Betsy Kiebala. Unanimous vote.

**Public comment**

None.

**Adjourn**

Palumbo moved and seconded by Ligor to adjourn. Meeting adjourned at 8:00 pm. Unanimous vote.

Respectfully submitted – Lisa Groezinger, sec.