

## Select Board Meeting Agenda



Date

July 18, 2023

Time

7:00 PM

Location

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

*The Zoom chat will not be monitored. Participants who wish to speak must raise the hand icon until the Chair asks them to unmute. Note this meeting is being televised, streamed or recorded by Bourne TV. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time.*

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

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

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

### **7:00 P.M. Call Public Session to Order in Open Session**

1. Moment of Silence to recognize our troops and our public safety personnel
2. Salute to the flag
3. Reading of the Vision and Mission Statements
4. Joint meeting with the Recreation Authority to fill vacancy
5. Common Vic – change in ownership for Chen’s Kitchen (new application)
6. Private event on beach – family reunion
7. Consent Agenda
  - a. Flash Mob in BB Park – Halloween & Trick or Treating on Main St. on 10/21/23
  - b. Pocasset Village Annual Picnic on 8/12/23 at Barlow’s Landing
  - c. BHS Golf car wash on 9/16/23 at Sagamore Fire Station
  - d. BHS Class of 2025 car wash on 9/9/23 at Sagamore & Pocasset Fire Stations
  - e. Appointment of Melissa Ferretti to the Barnstable Human Rights Commission
8. Town Administrator’s Report
  - a. Statement – Dept. of Public Works staffing
  - b. Additional items
9. Public comment on non-agenda items: Public comments are allowed for up to a total of 12 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Based on past practice, members of the Board are not allowed to comment or respond.
10. Update - Marijuana zoning
11. Policy
  - a. Special Events
  - b. Conservation Restriction
  - c. Correspondence Procedures
12. Minutes
13. Future agenda items
14. Committee reports
15. Correspondence

RECEIVED  
2023 JUL 14 PM 3:38  
TOWN CLERK BOURNE

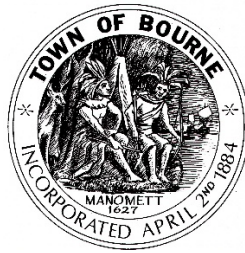
16. Next meeting date: July 25  
July 31 & August 1 – One Cape Summit  
August 1 – National Night Out (6-8 pm)  
**Wednesday, August 2 – Select Board – to avoid August 8**  
August 8 – Select Board Retreat (9 am – 2 pm)  
August 15

17. Adjourn

*Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail as you can and include a way we can contact you if we need more information. Please allow advance notice. Send an email to [kthut@townofbourne.com](mailto:kthut@townofbourne.com) or call the Town Administrator's Office at 508-759-0600 x1503.*



# TOWN OF BOURNE



## Vision

Bourne is a proud community that embraces change while respecting the rich heritage of the town and its villages. It is a municipality based on strong fiscal government with a durable economy that recognizes the rights of all citizens, respects the environment, especially the coastal areas of the community and the amenities that it affords. Bourne embraces excellent education, and offers to citizens a healthy, active lifestyle.

## Mission

Bourne will maximize opportunities for social and economic development while retaining an attractive, sustainable and secure coastline and environment for the enjoyment of residents and visitors. Through responsible and professional leadership and in partnership with others, Bourne will strive to improve the quality of life for all residents living and working in the larger community.



## BOURNE RECREATION AUTHORITY

231 SANDWICH ROAD, BOURNE, MASSACHUSETTS 02532-3696

TELEPHONE (508) 759-8904 / FAX (508) 759-4922

[www.galloarena.com](http://www.galloarena.com) / [www.bournescenicpark.com](http://www.bournescenicpark.com)

GEORGE M. SALA  
*Chairman*

GREGORY A. FOLINO  
*Vice Chairman*

JOHN A. COUGHLIN  
*Clerk*

LOUIS R. GALLO  
*Member*

DONALD J. PICKARD  
*Member*

Bourne Town Hall  
24 Perry Avenue  
Buzzards Bay, MA 02532  
ATTN: Select Board Chairperson Mary Jane Mastrangelo

June 2, 2023

Re: Notice of Vacancy of an Elected Member of the Bourne Recreation Authority (BRA)

Dear Ms. Mastrangelo:

Pursuant to the provisions of MGL Chapter 41-Section 11 and in accordance with Section 2 of the BRA's Enabling Act (Chapter 450 of the Acts of 2018), please consider this letter as our formal notice that due to the untimely death of Mr. George Sala there is now an approximate one-year vacancy on the governing board of the BRA. Mr. Sala's term ends on the date of the 2024 Annual Town Election and membership on the BRA's governing Board is restricted to residents of the Town of Bourne.

It is our understanding that upon receiving this notice, the Town Administrator's office will: undertake items necessary to advertise that said vacancy exists; receive responses from qualified individuals; provide the BRA with a list of persons who have indicated they want to serve in this capacity prior to holding a joint meeting between the Select Board & BRA to select an individual to serve for said remaining term; and appoint this position at said meeting where an individual must receive five(5) affirmative votes.

When ready, please forward suggested date(s) and time(s) for the joint meeting and we will respond back in a timely manner. You may contact us through our Administrative Coordinator, Diane M. Woodside, @ 508-759-8904 (x3) or [admin@bournerecreationauthority.com](mailto:admin@bournerecreationauthority.com). Thank you for your assistance with this matter.

Sincerely

  
\_\_\_\_\_  
Gregory A. Folino, Vice Chairman  
Bourne Recreation Authority

Cc: Marlene McCollem, Town Administrator  
John A. Coughlin, Louis R. Gallo & Donald J. Pickard, BRA Members  
Barry Johnson, BRA General Manager

**Town of Bourne  
Recreation Authority  
Vacancy Announcement**

The Bourne Recreation Authority invites interested residents to apply to serve as a member of the Bourne Recreation Authority for one (1) unexpired vacant term – until the May 21, 2024 annual town election. Interested candidates should submit a letter of interest and resume to Select Board, 24 Perry Ave., Buzzards Bay, MA 02532 no later than 12 noon on Thursday, July 6, 2023. Email submissions are encouraged and should be sent to Kathleen Thut at [kthut@townofbourne.com](mailto:kthut@townofbourne.com). Candidates will be interviewed at a joint meeting of the Recreation Authority and Select Board on Tuesday, July 18, 2023 at 7:00 PM. For further information on the vacancies, duties and responsibilities, please call the Town Administrator's staff at 508.759.0600 ext. 1503 or email [kthut@townofbourne.com](mailto:kthut@townofbourne.com).

June 23, 2023

*advertised:*

- Bourne Enterprise*
- on Town's website*

July 5, 2023

To Whom It May Concern:

I'd like to be considered for a seat on the Bourne Recreation Authority. As you may be aware I recently ran unsuccessfully for a seat on the board during the May 2023 election. This was my first foray into town politics, and it was enjoyable experience.

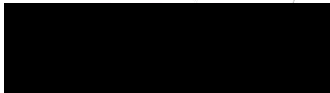
Together with my wife and four children I live in the town of Bourne and have been a frequent user of the facilities managed by the Bourne Recreation Authority, particularly the Gallo Ice Arena. During the hockey season I spend at least three to four days a week either coaching, officiating, or practicing. The facilities managed by the authority are regarded as some of the best facilities in the state and its refreshing to see a continued financial investment to keep them that way.

In my current role I serve as Director of Operations for a family-run HVAC distributor headquartered in Hanover, MA. As with most small businesses, I wear many hats and am actively involved in all aspects of the business. While I have never served on a public board, I believe that I can bring a fresh perspective and that that my background and experience can help provide growth and success to the facilities that are managed by the Bourne Recreation Authority.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Robert Buckley", with a stylized flourish at the end.

Robert Buckley



# TALENT BANK FORM

## ACT NOW- SERVE YOUR COMMUNITY

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Selectmen, Moderator and Town Administrator as a means of compiling names of interested citizens to serve on a voluntary basis, on boards and committees and working groups. This file is available for use by the public as well as the Moderator, Selectmen and Town Administrator. Talent bank forms are being updated to include categories consistent with the changing needs of the Town. Please fill out this page and return it to:

TOWN GOVERNMENT TALENT BANK  
c/o Town Administrator,  
24 Perry Avenue  
Buzzards Bay, MA 02532

NAME: Robert Buckley

DATE: 5/22/2023

ADDRESS:

VILLAGE: Sagamore Beach

OCCUPATION: Executive

TELEPHONE #

EMAIL:

Please list in order of preference which committee(s) you are interested in:

Recreation Authority

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

During the hockey season I spend upwards of 5 nights a week at the Gallo Arena as a coach and ice hockey official. Three of my four kids are actively involved in programs at the facility. For the past eight years, I have served as Director of Operations for Buckley Associates, a family owned and operated HVAC manufacturer's representative headquartered in Hanover, MA. In this role, my primary objective is to provide the tools and leadership necessary for continued sales growth and that we operate in the most efficient manner possible. On a day-to-day basis I've been actively involved in: negotiating union labor contracts, active in recruitment and mentoring of new employees, relationship building with vendors, clients, and team members, implementation of electronic tools and technology that drive efficiency and productivity.



# Robert Buckley

Sagamore Beach, MA 02562 |

## Objective

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A seasoned business executive in the HVAC industry providing the tools and leadership necessary for continued sales growth while operating in the most efficient manner possible.

## Experience

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### Buckley Associates | Director of Operations

June 2015-Present

- Oversight of day-to-day operations of 150 employee workforce spanning seven locations in five states
- Active in recruitment and mentoring of team members
- Developed and Utilize data and analytic tools to help make appropriate business decisions
- Negotiate union labor agreements, soliciting/descoped bids for business/workers compensation and health insurance
- Relationship building with vendors, clients, team members

### Buckley Associates | IT Manager

March 2005 - June 2015

- Evaluated and implemented electronic tools and technology that drive efficiency and productivity
  - Global Search Electronic File Storage Management – Evaluated all existing manual processes and converted them into digital workflows. Eliminated all paper from work environment.
  - Launched Rebranded Website featuring E-Commerce and Order Status Information for Clients
  - Worked with outside consultant to redesign network topography leveraging the most recent technology and endpoint equipment.
  - Oversaw implementation of multiple ERP (enterprise resource planning) software upgrades and new feature rollouts
  - Leveraged network infrastructure and implemented IP-telephony system across multiple sites reducing reliance on multiple analog systems

### Emerson College | Assistant Studio Operations Manager

August 2004 - February 2005

- Oversaw operations for two professional television production studios
- Trained and educated students on proper operation of various pieces of technology

### D2 Productions | Freelance Videographer

May 2002-June 2004

- Provided videography services for concerts and private corporate events

### New England Cable News (NECN) | Freelance Studio Technician

May 2002-June 2004

- Provided studio and field support during scheduled vacations

- ENG Receive (Satellite and Microwave) Downlink for Live Shots
- Audio and Videographer Field Support for On Site Events and Pool Feeds

## **Education**

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**Emerson College – B.A. Media Arts/Television Production**

**2000-2004**

Major: Media Arts/TV Production | Minor: Journalism

## **What I Enjoy**

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- Travel with my Family
- Watching My Kids Participate in Sports and Activities
- Spending Time Outdoors Hiking, Camping, and Boating
- Long-Distance Running

## **Other Activities**

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- Hockey Coach
- USA Hockey and NIHOA Registered Hockey Official

June 5, 2023

Bourne Town Administrator  
Bourne Selectman Board  
Bourne Recreation Authority Board  
Town Hall  
24 Perry Avenue  
Buzzards Bay, MA 02532 -3441

Dear Members of the Board:

My name is Joseph Klucsevsek and I seek to serve on the unexpired term of the Bourne Town Recreation Authority. I am a native son of Bourne and bring to the position the following qualifications:

First, I am a businessman/owner of the Mid Cape Tire and Auto Service. I succeed my father in the automotive business and worked alongside him on weekends and summers since I was 14. With his guidance, I became adept in communicating with the public, in negotiating contractual orders, in expediting services, and in overall customer relations in what has proved to be one of the busiest shops on the Cape. My business and financial experience, familiarity with the area's needs, and constant on-Cape presence makes me an ideal candidate for this position.

Second, in addition to my business experience, I bring a wealth of town knowledge and familiarity to the position. I have been on the ice at Gallo since I was two years old, my children are presently playing for Canal Youth Hockey, and I have coached Youth Hockey in Bourne and also on the JV level at St John Paul in Hyannis. My knowledge of the game and the way hockey rinks are managed and run is deep.

Third, my wife and I are a camping family and we and our three children have enjoyed many outings at Bourne Scenic Park. Since the Campground is one of the best in New England, but with a lengthy wait list, we still find time as a family to use the facilities – such as the jumping pillow – when we can. With the current talks of the new bridges coming, my experience with and proximity to the Scenic Park will bring a personal advantage to the talks, negotiations, and considerations as our current home is located near the Sagamore Bridge.

Finally, what an appointment to the Recreation Authority will do for me is to continue to be able give back to the town of Bourne that I and my family love and has given us so much. We presently contribute by being business sponsors of youth sports in Bourne including hockey, baseball, karate, and we also support the Bourne School System by sponsoring Fun Runs. I would be honored to continue to be able to give back to the town by an appointment to the Recreation Authority. I believe I have the experience and the energy the position demands, and I humbly ask for your consideration.

Thank you.

Sincerely,

Joseph Klucsevsek

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TOWN GOVERNMENT TALENT BANK  
c/o Town Administrator,  
24 Perry Avenue  
Buzzards Bay, MA 02532

NAME: Joseph Kiucersle DATE: 5/30/23  
ADDRESS: [REDACTED] VILLAGE: SAGAMORE  
OCCUPATION: Self (Automotive) TELEPHONE # [REDACTED]  
EMAIL: [REDACTED]

Please list in order of preference which committee(s) you are interested in:

Bourne Rec Authority  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

Born and raised in town. Grew up playing  
hockey at Gallo and camping at scenic Park.  
Now my kids are all doing the same.  
I have invested a lot of my time helping youth sports  
in town.

To whom it may concern,

I would like to recommend Joe Klucevsek for a position on the Bourne Recreation Department.

I have known Joe for some time now. He is a resident of the Town of Bourne and is familiar with other residents of the area. Joe has a lot of experience with youth sports. Many of his evenings and weekends are spent at rinks and sports fields. He is an exemplary sport parent, giving his time and energy for youth sport teams. He has active knowledge and experience in baseball, lacrosse, and hockey.

Joe is also a local business man who runs a quality business.

Once again, I am happy to recommend Joe to be a future member of the committee.

Jeffrey Bilezikian

[REDACTED]

Yarmouthport, MA 02675

[REDACTED]



## THE LAW OFFICE OF BRIAN S. FAHY

161 South Main Street, Suite 302  
Fall River, MA 02721

Phone: (617) 538-4546  
Fax: (774) 283-9847

Email: [brian@1620Law.com](mailto:brian@1620Law.com)

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June 21, 2023

Bourne Recreation Authority  
Bourne Town Hall  
24 Perry Avenue  
Buzzards Bay 02532-3441  
United States

RE: Joseph Klucevsek

Dear Sir or Madam:

It is my great pleasure to author this letter on behalf of Mr. Joseph Klucevsek for his candidacy as a member of the Bourne Recreation Authority. I have known Mr. Klucevsek for approximately four years. Joe has demonstrated a strong dedication to his family and community during this time. He finds the time to balance being a successful business owner on the Cape while being heavily involved in his children's respective athletic endeavors on the Cape as well as with his son's club hockey team in Kingston, Massachusetts. As a business owner, Joe understands what it takes to run an organization and make it run efficiently and successfully. Most importantly, Joe has been a great friend over the years and is willing to help out or lend a hand without being prompted.

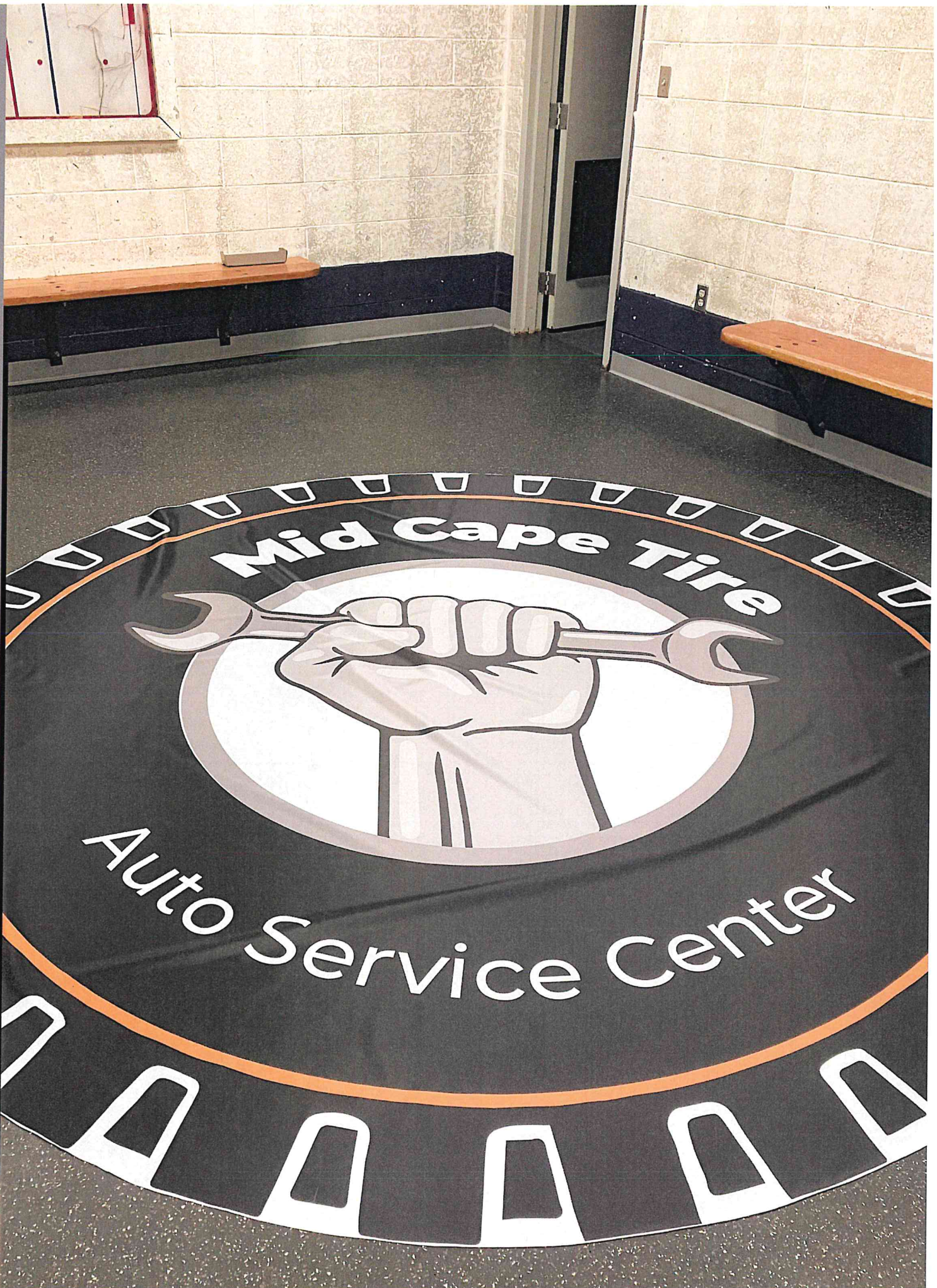
I would strongly support Mr. Klucevsek's candidacy for a position on the Bourne Recreation Authority. He is of high moral character and is a person who would be a tremendous asset for your organization.

Very truly yours,  
Brian S. Fahy, Esq.

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The Law Office Of Brian S. Fahy  
[www.1620Law.com](http://www.1620Law.com)







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TOWN GOVERNMENT TALENT BANK  
c/o Town Administrator,  
24 Perry Avenue  
Buzzards Bay, MA 02532

NAME: CHRISTOPHER MCARTHY DATE: 6-6-23

ADDRESS:

VILLAGE:

BOURNE

OCCUPATION: CC CONSTRUCTION  
LAWN SHARK LANDSCAPING TELEPHONE #

EMAIL:

Please list in order of preference which committee(s) you are interested in:

A RECREATION COMMITTEE

\* RECREATION AUTHORITY

Briefly describe why you would be an asset to this committee(s). Include any special training and qualifications:

LIFE LONG RESIDENT WITH THE BEST INTENTIONS  
FOR THE TOWN'S PROGRAMS, ~~THAT~~ I PLAN  
ON ~~BEING~~ RAISING MY 3 CHILDREN THROUGH  
THESE PROGRAMS AND PROVIDE A YOUNGER/FRESH  
POINT OF VIEW. I ALSO KNOW THE DIFFERENCE BETWEEN  
THE COMMITTEE & AUTHORITY.

**Annual Common Victualler/Food  
Vendor License**

**CVFV-23-5**

Submitted On: Jun 30, 2023

**Applicant**

 Xiang B Ye  
 5088889888  
@ chenskitchen41@gmail.com

**Primary Location**

41 MEETINGHOUSE LN  
Bourne, MA 02562

**Applicant/Business Information**

**Individual/Corporate Name**

New Chen's Kitchen Inc.

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

41 Meetinghouse Lane, Sagamore Beach, MA 02562

**Business Email Address**

chenskitchen41@gmail.com

**Manager Phone Number**

[REDACTED]

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

Chen's Kitchen

**Business Phone Number**

508-888-9888

**Manager Name:**

Xiang B Ye

**License Information**

**License Category**

Common Victualler's License

**Landlord Name**

Forty One Meetinghouse Lane LLC

**Length of Lease**

15 years

**Will you be serving alcohol?**

No

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

Rent

**Landlord Contact Information**

160 Speen Street, Suite 303, Farmingham, MA 01701

**Do you have employees?**

Yes

**Premise Description and Capacity Information**

**Total square footage**

1680

**# of entrances**

2

**# of floors**

1

**Inside Seating Capacity**

16

**Does this property have outside seating?**

No

**# of rooms with public access**

1

**# of exits**

2

**# of bathrooms**

2

**Inside Maximum Occupancy**

--

**Parking Capacity**

60

**Signature**

**Next Steps**



**CVFV-23-5**

Annual Common Victualler/Food Vendor License

**Status:** Active**Date Created:** Jun 30, 2023**Timeline**

Label	Status	Activated	Completed	Assignee	Due Date
 Submission received	Issued	Jun 30, 2023 at 1:33 am	Jun 30, 2023 at 1:33 am	-	-
 Application Content and Attachments	Complete	Jun 30, 2023 at 1:33 am	Jun 30, 2023 at 9:02 am	Maria Simone	-
 Application Fee	Paid	Jun 30, 2023 at 1:33 am	Jul 5, 2023 at 9:43 am	-	-
 Health Department	Complete	Jul 5, 2023 at 9:43 am	Jul 5, 2023 at 9:58 am	Kaitlyn Shea	-
 Building Department	Complete	Jul 5, 2023 at 9:43 am	Jul 5, 2023 at 10:33 am	Ann Gutterson	-
 Planning Department	Complete	Jul 5, 2023 at 9:43 am	Jul 5, 2023 at 12:26 pm	Julia Gillis	-
 Clerk's Office	Complete	Jul 5, 2023 at 9:43 am	Jul 6, 2023 at 9:50 am	Syreeta Amaral	-
 Police Department	Complete	Jul 5, 2023 at 9:43 am	Jul 6, 2023 at 11:48 am	John Stowe	-
 Sewer Department	Complete	Jul 5, 2023 at 9:43 am	Jul 6, 2023 at 1:43 pm	Maria Simone	-
 Fire Department	Complete	Jul 5, 2023 at 9:43 am	Jul 6, 2023 at 2:41 pm	David Pelonzi	-
 Town Collector	Complete	Jul 5, 2023 at 9:43 am	Jul 7, 2023 at 3:52 pm	Town Collector	-
 Schedule Hearing	Complete	Jul 7, 2023 at 3:52 pm	Jul 13, 2023 at 1:54 pm	Maria Simone	-
 Hearing Results	Active	Jul 13, 2023 at 1:54 pm	-	Mary Rebello	-
 Final Building Inspector Sign Off	Inactive	-	-	-	-
 Final Fire Department Sign Off	Inactive	-	-	-	-
 Final Health Department Sign Off	Inactive	-	-	-	-
 Final Payment	Inactive	-	-	-	-
 Common Vic License	Inactive	-	-	-	-



Town of Bourne, MA

Jul 14, 2023

CVFV-23-5

## Health Department

Annual Common Victualler/Food Vendor License

**Status:** Complete

**Became Active:** Jul 5, 2023

**Assignee:** Kaitlyn Shea

**Completed:** Jul 5, 2023

### Applicant

Xiang B Ye  
chenskitchen41@gmail.com  
1 Winston Ave  
Buzzards Bay, MA 02532  
508-888-9888

### Primary Location

41 MEETINGHOUSE LN  
Bourne, MA 02562

### Owner:

LANE LLC  
FRAMINGHAM, MA 01701-2003

### Comments

Kaitlyn Shea, Jul 5, 2023

Food Permit: FE-23-133

*Town of Bourne*  
*The Commonwealth of Massachusetts*

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**BUSINESS CERTIFICATE**

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**NEW CHEN'S KITCHEN INC. d.b.a. CHENS KITCHEN**

**41 MEETINGHOUSE LANE # SAGAMORE BEACH, MA 02562**

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

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In conformity with the provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of NEW CHEN'S KITCHEN INC. d.b.a. CHENS KITCHEN Number 41 MEETINGHOUSE LANE by the following person(s):

Name	Address
YE XIANG B	1 WINSTON AVE BUZZARDS BAY, MA 02532
NEW CHENS KITCHEN INC	41 MEETINGHOUSE LANE UNIT C BOURNE, MA 02562



YE XIANG B

NEW CHENS KITCHEN INC

Phone #:

ID:

Type of Business: CHINESE RESTAURANT

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Appeared before me the above named person(s) and acknowledged the foregoing to be a true and accurate account, given under the pains and penalties of perjury this 5th day of July 2023.



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

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



## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/30/2023

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

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

<b>PRODUCER</b> Bryden & Sullivan Ins Agency of Dennis Inc. 485 Route 134, PO Box 1497 So. Dennis, MA 02660 Bryden & Sullivan Insurance		<b>508-398-6060</b>		<b>CONTACT NAME:</b> Bryden & Sullivan Insurance <b>PHONE (A/C, No, Ext):</b> 508-398-6060 <b>FAX (A/C, No):</b> 508-394-2267 <b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> New Chen's Kitchen Inc 41 Meetinghouse Lane Unit C Sagamore Beach, MA 02562				<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> The Hartford <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
				<b>NAIC #</b> 19682	

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
<b>A</b>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<b>Y/N</b> <b>Y</b>	<b>N/A</b>	<b>08WECA77YY</b>	<b>07/01/2023</b>	<b>07/01/2024</b>	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>100,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>100,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>500,000</b>

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

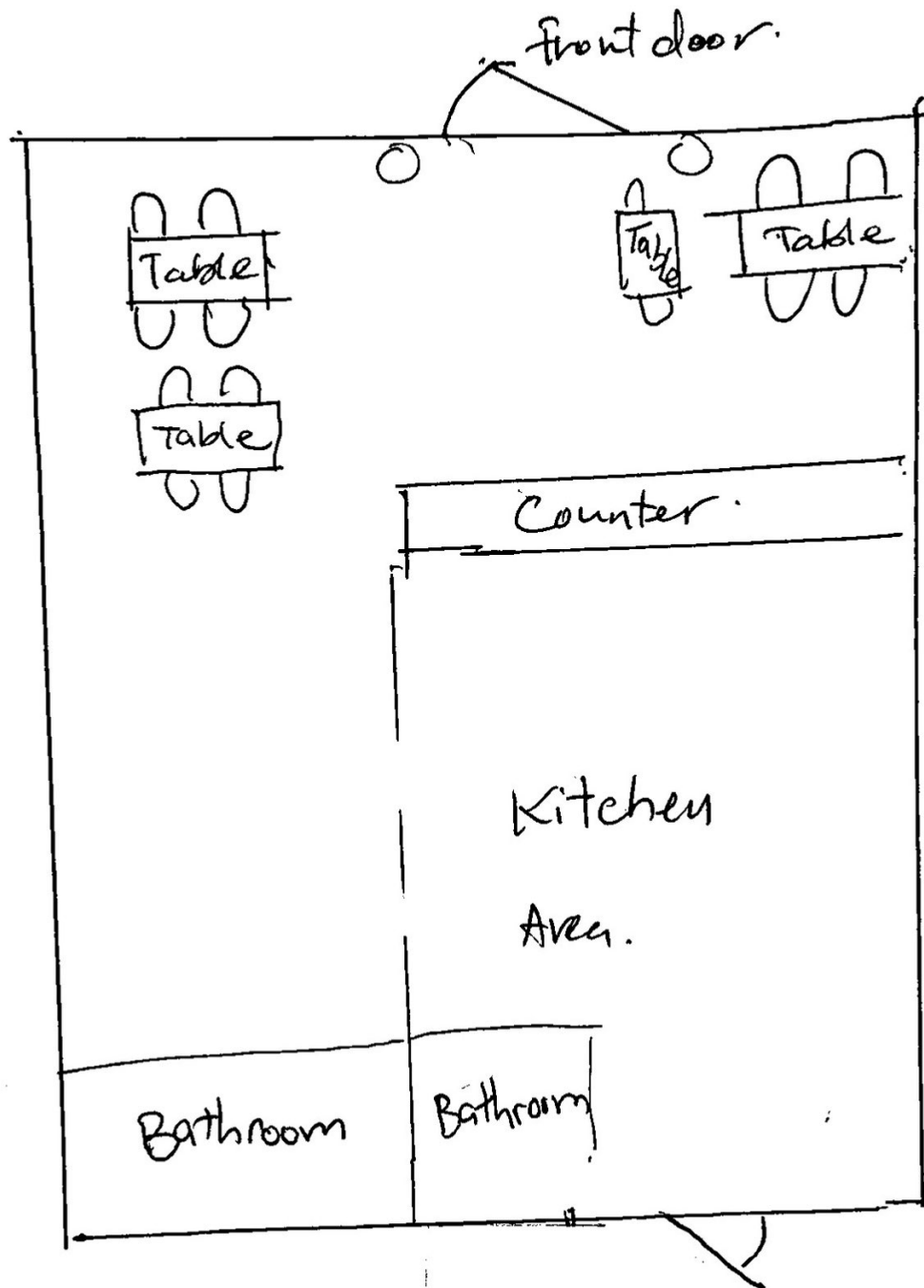
Xiang B Ye has elected to exclude herself for Workers Compensation Benefits

## CERTIFICATE HOLDER

## CANCELLATION

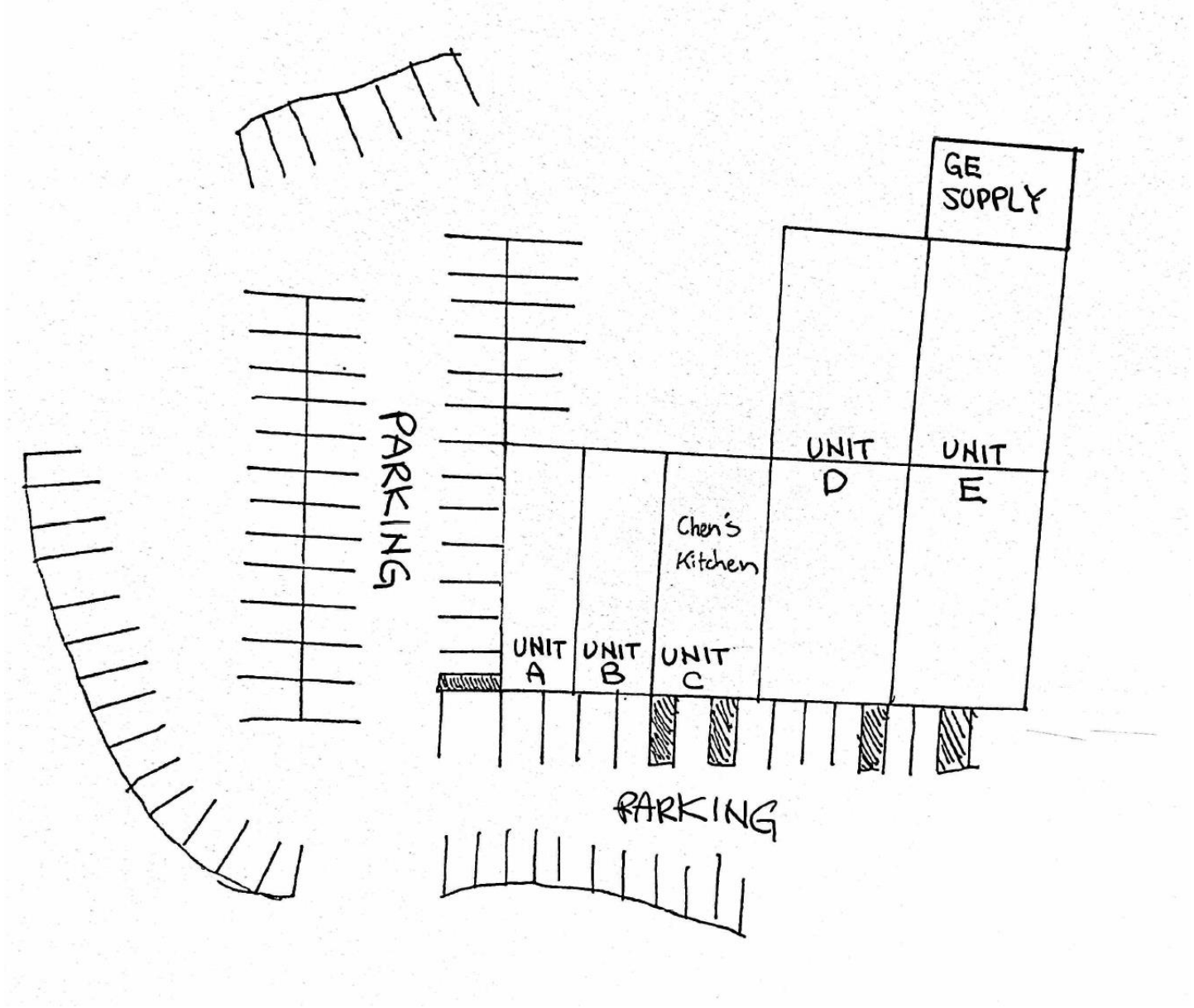
<b>BOURN01</b>  <b>BOURNE TOWN HALL</b> <b>24 PERRY AVE.</b> <b>BUZZARDS BAY, MA 02532</b>	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b> <i>Kelley A Sullivan</i>
--	---

New Chens Kitchen  
41 Meetinghouse Ln #C  
Sagamore Beach,  
MA 02562



Floor plan for New Chens Kitchen





**Use of Town Property Event  
Application**

**EA-23-44**

Submitted On: Jul 12, 2023

**Applicant**

 Sarah Churchill-Joly





**Primary Contact Information**

**Name**

Sarah Churchill-Joly

**Business/Organization Name (if applicable)**

--

**Mailing Address**

**Cell Phone No.**

**Email**

[REDACTED]

[REDACTED]

**Event Information**

**Organization/Individual Hosting the event**

Sarah Churchill-Joly

**Type of Organization (LLC, non-profit)**

--

**Type of Event (i.e. banquet/concert/fundraiser/party)**

Family reunion

**Location of Event**

Town Beaches/Trails

**Name Beach or Trails**

Monument Beach

**Date(s) of Event**

August 25, 2023

**Set up/Clean up Dates**

August 25, 2023

**Hours (start and end times)**

16h00 (flexible)

**Estimated overall attendance**

65

**# of Staff/Volunteers**

Only Clambakes etc. cooks

**Description of Event**

Beach gathering with children and adults. There will be BBQ served by Clambakesetc. They have a truck and trailer they would setup in the parking lot. They would have the necessary health permit (currently licensed in Barnstable). They would setup a cooking station (propane BBQ) just outside of the truck in the parking lot. People would come to help themselves and bring food back to their towels or picnic tables. We would not be putting up tables or chairs or anything on the beach. Clambakes etc. does a full cleanup afterwards and we would ensure that there is no sign of us being there afterwards. We will have two shuttles drop off and pick up guests over a couple of trips. We will need to park the shuttles at the beach - currently they are 7 person shuttles but we hope to find some that seat 10 or 15 to have less trips to make. Some guests will also drive their own vehicles (those with small children) but this should only be about 10-15 vehicles so given the size of the parking lot we were thinking this would be okay.

**Will your event impact traffic?**

No

**Will your event impact parking?**

No

**Is event open to the public?**

No

**Will admission be charged?**

No

**Will there be alcohol service/ on-premise consumption?**

No

**Will there be food?**

Yes

**Describe type of food**

BBQ food with corn and watermelon

**Will a tent be used?**

No

**Use of Electricity/generators?**

No

**Will you be placing a banner across Main Street?**

No

**Will there be vendors?**

No

**Will you be holding a raffle?**

No

**Are you providing portable toilets?**

No

**Please Note:**

**Town Beaches Rules and Regulations**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true

**EA-23-44**

## Use of Town Property Event Application

**Status:** Active**Date Created:** Jul 12, 2023**Timeline**

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Jul 12, 2023 at 11:11 am	Jul 12, 2023 at 11:27 am	Maria Simone	-
✓ Fire Department Comments	Complete	Jul 12, 2023 at 11:27 am	Jul 12, 2023 at 11:44 am	David Pelonzi	-
✓ DNR Comments	Complete	Jul 12, 2023 at 11:27 am	Jul 12, 2023 at 11:44 am	Christopher Southwood	-
✓ DPW Comments	Complete	Jul 12, 2023 at 11:27 am	Jul 12, 2023 at 12:12 pm	Matthew Quinn	-
✓ Health Agent Comments	Complete	Jul 12, 2023 at 11:27 am	Jul 12, 2023 at 12:35 pm	Kaitlyn Shea	-
✓ Police Department Comments	Complete	Jul 12, 2023 at 11:27 am	Jul 12, 2023 at 2:27 pm	Theodore Economides	07/19/2023
✓ Conservation Department	Active	Jul 12, 2023 at 11:27 am	-	Stephanie Fitch	-
✓ Town Administrator's Comments	Inactive	-	-	-	-
✓ Select Board Vote	Inactive	-	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

Jul 14, 2023

EA-23-44

## Fire Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 12, 2023

**Assignee:** David Pelonzi

**Completed:** Jul 12, 2023

### Applicant

Sarah Churchill-Joly

[REDACTED]  
Bourne, MA 02532  
[REDACTED]

### Comments

David Pelonzi, Jul 12, 2023

If there will be more than 42 pound of propane stored and used on site, that is not attached to a vehicle, a propane permit will be required.



Town of Bourne, MA

Jul 14, 2023

EA-23-44

## DNR Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 12, 2023

**Assignee:** Christopher Southwood

**Completed:** Jul 12, 2023

### Applicant

Sarah Churchill-Joly

[REDACTED]  
Bourne, MA 02532  
[REDACTED]

### Comments

**Christopher Southwood, Jul 12, 2023**

Parking permits are required at this location. There are only 2 picnic tables at this site. Parking can be very limited on Fridays pending weather.

**Christopher Southwood, Jul 12, 2023**

There would be the same situation at all beaches potentially. Monument beach has the largest lot





Town of Bourne, MA

Jul 14, 2023

EA-23-44

## DPW Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 12, 2023

**Assignee:** Matthew Quinn

**Completed:** Jul 12, 2023

### Applicant

Sarah Churchill-Joly

[REDACTED]  
Bourne, MA 02532  
[REDACTED]

### Comments

Matthew Quinn, Jul 12, 2023

We just ask you keep area clean when finished. Also where will you be disposing rubbish? So our beach trash area does not get inundated.



Town of Bourne, MA

Jul 14, 2023

EA-23-44

## Health Agent Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 12, 2023

**Assignee:** Kaitlyn Shea

**Completed:** Jul 12, 2023

### Applicant

Sarah Churchill-Joly

[REDACTED]  
Bourne, MA 02532  
[REDACTED]

### Comments

Kaitlyn Shea, Jul 12, 2023

Please be sure to have the food truck company fill out our temporary food permit at least 20 days before the event. The application can be found at the link below. Thank you!

Health Dept - Temporary Food Permit - ViewPoint Cloud  
(<https://bournema.viewpointcloud.com/categories/1073/record-types/1006474>)



Town of Bourne, MA

Jul 14, 2023

EA-23-44

## Police Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 12, 2023

**Assignee:** Theodore Economides

**Completed:** Jul 12, 2023

### Applicant

[REDACTED]

[REDACTED]

Bourne, MA 02532

[REDACTED]

### Comments

Theodore Economides, Jul 12, 2023

PD has similar concerns as DNR as beach stickers are required and this is a busy lot during the summer. Even if the town approves a waiver of beach sticker requirements for food truck and shuttles, there would be no way to ensure that space would be available for those vehicles without blocking off spaces from town residents that have stickers. Considering this is a food truck, trailer, and multiple shuttles, that would be a lot of spaces to block off for a private event, especially on a Friday in August.

**Use of Town Property Event  
Application**

**EA-23-39**

Submitted On: Jun 19, 2023

**Applicant**

 Lauren DeGregorio  
 7744547978  
 oplaysisdesigns@gmail.com

**Primary Contact Information**

**Name**

Lauren DeGregorio

**Mailing Address**

 Bourne MA 02532

**Email**

Oplaysisspaces@gmail.com

**Business/Organization Name (if applicable)**

O'playsis Spaces

**Cell Phone No.**



**Event Information**

**Organization/Individual Hosting the event**

O'playsis Spaces

**Type of Event (i.e. banquet/concert/fundraiser/party)**

Community Gathering

**Type of Organization (LLC, non-profit)**

LLC

**Location of Event**

Buzzards Bay Park

**Date(s) of Event**

10/21/23

**Set up/Clean up Dates**

Same day

**Hours (start and end times)**

12-1

**Estimated overall attendance**

300

**Certain events taking place at Buzzards Bay Park may also require an additional permit from the U.S. Army Corps of Engineers. Based on your responses, you will be notified if you are required to apply.**

Events held at Buzzards Bay Park are required to upload a site plan detailing where things will be set up. You will be able to upload this later in the application.

**# of Staff/Volunteers**

3

**Description of Event**

Community Flash Dance, Costume Parade and Main Street Trick-or-Treating

**Will your event impact traffic?**

No

**Is event open to the public?**

Yes

**Will there be alcohol service/ on-premise consumption?**

No

**Will your event impact parking?**

No

**Will admission be charged?**

No

**Will there be food?**

No

**Will there be vendors?**

No

**Will you be holding a raffle?**

No

**If Yes for what purpose**

Music & Microphone

**Are you providing portable toilets?**

No

**Will a tent be used?**

No

**Use of Electricity/generators?**

Yes

**Electricity is not available or guaranteed at every location. Based on your responses and location you will be notified if you need a generator. If a generator is required, it is the responsibility of the event organizer.**

**Will you be placing a banner across Main Street?**

No

**Please Note:**

**Buzzards Bay Park Rules and Regulations**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true





## EA-23-39

### Use of Town Property Event Application

**Status:** Active

**Date Created:** Jun 19, 2023

#### Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Jun 19, 2023 at 9:02 pm	Jul 6, 2023 at 3:36 pm	Maria Simone	-
✓ Fire Department Comments	Complete	Jul 6, 2023 at 3:36 pm	Jul 6, 2023 at 3:40 pm	David Pelonzi	-
✓ DPW Comments	Complete	Jul 6, 2023 at 3:36 pm	Jul 10, 2023 at 9:19 am	Matthew Quinn	-
✓ Police Department Comments	Complete	Jul 6, 2023 at 3:36 pm	Jul 13, 2023 at 10:21 am	Theodore Economides	07/13/2023
✓ Town Administrator's Comments	Complete	Jul 13, 2023 at 10:21 am	Jul 14, 2023 at 1:09 pm	Maria Simone	-
✓ Select Board Vote	Active	Jul 14, 2023 at 1:09 pm	-	Maria Simone	07/19/2023
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

Jul 14, 2023

EA-23-39

## DPW Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 6, 2023

**Assignee:** Matthew Quinn

**Completed:** Jul 10, 2023

---

### Applicant

Lauren DeGregorio  
oplaysisdesigns@gmail.com

[REDACTED]  
Bourne, MA 02532  
[REDACTED]

---

### Comments

Matthew Quinn, Jul 10, 2023

All set. We just ask that you keep park clean and carry in/out all rubbish. Thank You.

Lauren DeGregorio, Jul 10, 2023

Absolutely!



Town of Bourne, MA

Jul 14, 2023

EA-23-39

## Police Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 6, 2023

**Assignee:** Theodore Economides

**Completed:** Jul 13, 2023

### Applicant

Lauren DeGregorio  
oplaysisdesigns@gmail.com

[REDACTED]  
Bourne, MA 02532  
[REDACTED]

### Comments

**Theodore Economides, Jul 13, 2023**

I am familiar with the event from last year. No police concerns. We will send an officer from patrol to assist, no need for a detail. Please coordinate with Officer when he/she arrives to assist with crosswalk at Old Country Store.

**Use of Town Property Event  
Application**

**EA-23-43**

Submitted On: Jul 3, 2023

**Applicant**

 Robert Dwyer  
 5085637408  
 rdwyerphd@gmail.com

**Primary Contact Information**

**Name**

Robert Dwyer

**Mailing Address**

 Pocasset 02559

**Email**



**Business/Organization Name (if applicable)**

Pocasset Village Association

**Cell Phone No.**



**Event Information**

**Organization/Individual Hosting the event**

Pocasset Village Association

**Type of Event (i.e. banquet/concert/fundraiser/party)**

Picnic

**Name Beach or Trails**

Barlows Landing

**Set up/Clean up Dates**

Same

**Estimated overall attendance**

50

**Description of Event**

Annual PVA picnic at Barlows Landing

**Will your event impact traffic?**

No

**Is event open to the public?**

Yes

**Will there be alcohol service/ on-premise consumption?**

No

**Describe type of food**

Hot dogs cooked off-site, pot luck salads and desserts

**Will a tent be used?**

No

**Type of Organization (LLC, non-profit)**

Non-profit civic assn

**Location of Event**

Town Beaches/Trails

**Date(s) of Event**

August 12

**Hours (start and end times)**

11:30-3:30

**# of Staff/Volunteers**

10

**Will you event impact parking?**

No

**Will admission be charged?**

No

**Will there be food?**

Yes

**Will there be vendors?**

No

**Will you be holding a raffle?**

No

**Use of Electricity/generators?**

No

**Are you providing portable toilets?**

No

**Will you be placing a banner across Main Street?**

No

**Please Note:**

**Town Beaches Rules and Regulations**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true



**EA-23-43**

## Use of Town Property Event Application

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

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Jul 3, 2023 at 4:13 pm	Jul 5, 2023 at 9:45 am	Maria Simone	-
✓ Health Agent Comments	Complete	Jul 5, 2023 at 9:45 am	Jul 5, 2023 at 9:55 am	Kaitlyn Shea	-
✓ DNR Comments	Complete	Jul 5, 2023 at 9:45 am	Jul 5, 2023 at 10:06 am	Christopher Southwood	-
✓ Conservation Department	Complete	Jul 5, 2023 at 9:45 am	Jul 5, 2023 at 2:39 pm	Stephanie Fitch	-
✓ Police Department Comments	Complete	Jul 5, 2023 at 9:45 am	Jul 6, 2023 at 8:43 am	Theodore Economides	07/12/2023
✓ Fire Department Comments	Complete	Jul 5, 2023 at 9:45 am	Jul 6, 2023 at 2:40 pm	David Pelonzi	-
✓ DPW Comments	Complete	Jul 5, 2023 at 9:45 am	Jul 10, 2023 at 9:22 am	Matthew Quinn	-
✓ Town Administrator's Comments	Complete	Jul 10, 2023 at 9:22 am	Jul 14, 2023 at 1:07 pm	Maria Simone	-
✓ Select Board Vote	Active	Jul 14, 2023 at 1:07 pm	-	Maria Simone	07/19/2023
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

Jul 14, 2023

EA-23-43

## DNR Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 5, 2023

**Assignee:** Christopher Southwood

**Completed:** Jul 5, 2023

### Applicant

Robert Dwyer

[REDACTED]  
Pocasset, Mass 02559  
[REDACTED]

### Comments

Christopher Southwood, Jul 5, 2023

Beach parking permits are required at this location



Town of Bourne, MA

Jul 14, 2023

EA-23-43

## DPW Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 5, 2023

**Assignee:** Matthew Quinn

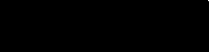
**Completed:** Jul 10, 2023

### Applicant

Robert Dwyer



Pocasset, Mass 02559



### Comments

Matthew Quinn, Jul 10, 2023

All Set, we ask you that keep area clean after event. Thank You.

**Use of Town Property Event  
Application**

**EA-23-46**

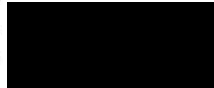
Submitted On: Jul 13, 2023

**Applicant**

 AMY KELLY







**Primary Contact Information**

**Name**

Amy Kelly

**Business/Organization Name (if applicable)**

Bourne High School Golf Team

**Mailing Address**

 Pocasset MA 02559

**Cell Phone No.**

**Email**



**Event Information**

**Organization/Individual Hosting the event**

BHS Golf Team

**Type of Organization (LLC, non-profit)**

non profit

**Type of Event (i.e. banquet/concert/fundraiser/party)**

car wash

**Location of Event**

Sagamore Beach Fire Station

**Date(s) of Event**

09/16/2023

**Set up/Clean up Dates**

09/16/2023

**Hours (start and end times)**

8a-12p

**Estimated overall attendance**

100

**# of Staff/Volunteers**

10

**Description of Event**

car wash

**Will your event impact traffic?**

No

**Will you event impact parking?**

No

**Is event open to the public?**

Yes

**Will admission be charged?**

No

**Will there be alcohol service/ on-premise consumption?**

No

**Will there be food?**

No

**Will there be vendors?**

No

**Will a tent be used?**

No

**Will you be holding a raffle?**

No

**Use of Electricity/generators?**

No

**Are you providing portable toilets?**

No

**Will you be placing a banner across Main Street?**

No

**Please Note:**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true





## EA-23-46

### Use of Town Property Event Application

**Status:** Active

**Date Created:** Jul 13, 2023

#### Timeline

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Jul 13, 2023 at 9:35 am	Jul 13, 2023 at 10:27 am	Maria Simone	-
✓ Fire Department Comments	Complete	Jul 13, 2023 at 10:27 am	Jul 13, 2023 at 11:42 am	David Pelonzi	-
✓ DPW Comments	Complete	Jul 13, 2023 at 10:27 am	Jul 13, 2023 at 1:09 pm	Matthew Quinn	-
✓ Police Department Comments	Active	Jul 13, 2023 at 10:27 am	-	Theodore Economides	07/20/2023
✓ Town Administrator's Comments	Inactive	-	-	-	-
✓ Select Board Vote	Inactive	-	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

Jul 14, 2023

EA-23-46

## Fire Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 13, 2023

**Assignee:** David Pelonzi

**Completed:** Jul 13, 2023

### Applicant

AMY KELLY

[REDACTED]  
POCASSET, MA 02559  
[REDACTED]

### Comments

David Pelonzi, Jul 13, 2023

Confirming a request for two stations? If so, Sagamore Beach and Pocasset are available

AMY KELLY, Jul 13, 2023

THAT WOULD BE AWESOME!!

**Use of Town Property Event  
Application**

**EA-23-45**

Submitted On: Jul 13, 2023

**Applicant**

 AMY KELLY





**Primary Contact Information**

**Name**

Amy Kelly

**Business/Organization Name (if applicable)**

Bourne High school Class of 2025

**Mailing Address**

 Pocasset MA 02559

**Cell Phone No.**

5089885650

**Email**



**Event Information**

**Organization/Individual Hosting the event**

BHS Class of 2025

**Type of Organization (LLC, non-profit)**

non-profit

**Type of Event (i.e. banquet/concert/fundraiser/party)**

fundraiser

**Location of Event**

Sagamore Beach Fire Station

**Date(s) of Event**

9/9/2023

**Set up/Clean up Dates**

9/9/2023

**Hours (start and end times)**

8am-12pm

**Estimated overall attendance**

100 cars

**# of Staff/Volunteers**

10

**Description of Event**

car wash fundraisers

**Will your event impact traffic?**

No

**Will you event impact parking?**

No

**Is event open to the public?**

Yes

**Will admission be charged?**

No

**Will there be alcohol service/ on-premise consumption?**

No

**Will there be food?**

No

**Will there be vendors?**

No

**Will a tent be used?**

No

**Will you be holding a raffle?**

No

**Use of Electricity/generators?**

No

**Are you providing portable toilets?**

No

**Will you be placing a banner across Main Street?**

No

**Please Note:**

**Copy of Liability Insurance with the Town named as additional insured**

**Hold Harmless Agreement**

**Signature**

true

**Signature**

**Signature**

true

**EA-23-45**

## Use of Town Property Event Application

**Status:** Active**Date Created:** Jul 13, 2023**Timeline**

Label	Status	Activated	Completed	Assignee	Due Date
✓ Application Content and Attachments	Complete	Jul 13, 2023 at 9:26 am	Jul 13, 2023 at 10:29 am	Maria Simone	-
✓ Fire Department Comments	Complete	Jul 13, 2023 at 10:29 am	Jul 13, 2023 at 11:39 am	David Pelonzi	-
✓ DPW Comments	Complete	Jul 13, 2023 at 10:29 am	Jul 13, 2023 at 1:10 pm	Matthew Quinn	-
✓ Police Department Comments	Active	Jul 13, 2023 at 10:29 am	-	Theodore Economides	07/20/2023
✓ Town Administrator's Comments	Inactive	-	-	-	-
✓ Select Board Vote	Inactive	-	-	-	-
📄 Temporary Event Permit Issued	Inactive	-	-	-	-



Town of Bourne, MA

Jul 14, 2023

EA-23-45

## Fire Department Comments

Use of Town Property Event Application

**Status:** Complete

**Became Active:** Jul 13, 2023

**Assignee:** David Pelonzi

**Completed:** Jul 13, 2023

### Applicant

AMY KELLY

[REDACTED]  
POCASSET, MA 02559  
[REDACTED]

### Comments

David Pelonzi, Jul 13, 2023

Sagamore and Pocasset are available



## **DRAFT MARIJUANA OVERLAY DISTRICT**

**Endorsed by the Planning Board on July 13, 2023**

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

*2/3<sup>rd</sup> Vote*

*Planning Board Sponsored*

Section 4850-4858 Other Special Districts, Marijuana Overlay District (MOD), Zoning Map showing the overlay district, Section 2110 Type of Districts, Section 2140 District Purposes.

---

Add the following section:

### **4850 Marijuana Overlay District (MOD)**

#### **4851. Purpose**

To provide placement of Medical-use Marijuana and Adult-Use Marijuana Retailers that have been recognized as having 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.

The Marijuana Overlay District (MOD) shall include both Medical-use Marijuana and Adult-Use Marijuana Retailers. The boundaries of the MOD are shown on the MOD Zoning Map included herein and on file with the Town Clerk entitled “Town of Bourne, Marijuana Overlay District; North Sagamore, South Sagamore, Downtown Buzzards Bay, and MacArthur Boulevard”. If the provisions of the MOD are silent on a zoning regulation, the requirements of the underlying district shall apply.

Where not expressly defined in the Zoning Bylaw, terms herein shall be interpreted as defined in G.L. c 94G. et seq. (Regulation of the Use and Distribution of Marijuana not Medically Prescribed); the Cannabis Control Commission Regulations promulgated thereunder, 935 CMR 500 et seq. (Adult Use of Marijuana); 935 CMR 501 et seq. (Medical Use Marijuana); and the Department of Public Health Regulations 105 CMR 725 et seq. (Humanitarian Medical Use of Marijuana Act) and otherwise by their plain language, as they may be amended or superceded, and any successor or re-codified version, of any regulation issued by an agency of the Commonwealth of Massachusetts with jurisdiction for certifying or regulating the production and/or sale of marijuana.

#### **4852. Applicability**

This section is subject to the provisions of this Zoning Bylaw, and must be in conformance with all State regulations and licensing requirements of the Massachusetts Cannabis Control Commission (hereinafter referred to as “State CCC”), Medical Marijuana and Adult-Use Marijuana Retailers 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 medical and adult-use marijuana in a manner that meets or exceeds state regulations.

- a) The Planning Board is the Site Plan Review/Special Permit Granting Authority (SPGA) under this section and in accordance with section 1230 of this Bylaw.
- b) Medical Marijuana and Adult-Use Marijuana Retailers 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 a Marijuana Establishment pursuant to MGL c. 94G, and regulations promulgated by the State CCC.
- c) The, 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 an Adult-use Marijuana Retailer under this section.
- d) Medical Marijuana and Adult-use Marijuana Retailers is allowed by Site Plan Review in the North Sagamore, South Sagamore, and MacArthur Boulevard MOD overlay districts and by Site Plan Review/Special Permit in the Downtown MOD overlay district provided the facility meets the requirements of this bylaw.
- e) The number of Adult-Use Marijuana Retailers shall be limited to a maximum of three [3] separate retailers within the Town of Bourne.
- f) 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.
- g) Consumption of medical marijuana and adult-use marijuana products at licensed marijuana establishments is prohibited.
- h) Social consumption of adult use marijuana is prohibited at patriotic, fraternal or social organization lodges or clubs, and properties used for general lodging or boarding, but not operating as a licensed marijuana social consumption establishment.
- i) Patriotic, fraternal or social organization lodges or clubs, and general lodging or boarding properties shall not offer marijuana for social consumption.

- j) Marijuana Establishments consistent with G.L. c.94G,§3(a)(2), all types of “marijuana establishments” as defined in G.L. c.94G,§1, to include craft marijuana cooperative, marijuana cultivators, independent testing laboratory, marijuana product manufacturers, social consumption establishment, or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Bourne except Adult-use Marijuana Retailers.

#### **4853. Application Requirements**

- a) Medical Marijuana and Adult-Use Marijuana Retailers shall conform to 105 CMR 725 et seq. and 935 CMR 500.000 et seq. “Adult-Use of Marijuana”, in addition to any requirements herein as adopted, et seq., including any subsequent updates.
- b) In addition to the submittal requirements and review standards provided in this Bylaw, each applicant under this section shall submit:
  - 1. Copy of a fully executed Host Community Agreement.
  - 2. Evidence of site control and right to use the site for Medical Marijuana and/or an Adult-use Marijuana Retailer in the form of a deed or valid purchase and sales agreement, or in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement.
  - 3. A wastewater allocation commitment letter from the Board of Sewer Commissioners for proposed developments in the Downtown District.
  - 4. A map depicting all properties and land uses within the distance requirements set forth in section 4854(a) of the project site, whether such uses are located in Bourne.

#### **4854. Location Requirements**

- a) Medical Marijuana and Adult-use Marijuana Retailers buffer zones shall comply with all buffer zones as stated in Massachusetts 105 CMR 725 et seq. and 935 CMR 500 et seq.
- b) In performing Site Plan Review and/or Special Permit, and taking into consideration site conditions, the Planning Board may authorize exceptions to dimensional requirements of Section 2500 including buffer zone requirements of 935 CMR 500.110. The departure must be the minimum necessary to afford relief. Only the minimum relief needed shall be granted as to provide a viable project.
- c) No Medical Marijuana or Adult-use Retailer shall be located in the Scenic Development District.
- d) Use variances are not allowed for any Marijuana Establishment.
- e) Special Permits granted to the owner/operator of a Marijuana Establishment shall transfer with a change in ownership of the business and/or property. The Planning Board, Planning Office, and Building Inspector shall be notified in writing within fourteen [14] calendar days of the permit holder business change, property change,

discontinuance of use, or if the permit holder's CCC Licensures expires, is not renewed or is terminated. Any failure to meet the requirement of this CCC, local license, zoning 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.

#### **4855. Site Development Standards**

- a) Medical Marijuana or Adult-use Retailer 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 the Medical Marijuana or Adult-use Retailer shall take place at a fixed location within a fully enclosed building.
- c) If provided, fencing and gates shall be a maximum of 6' high, and shall be decorative style wherever viewed from a public way or abutting property. Style of fencing and gates shall be approved by the SPGA. Chain link fencing is prohibited wherever visible from the public way or abutting property.
- d) Medical Marijuana or Adult-use Retailer shall comply with the Parking and Loading requirements in Section 3300. The use shall be classified as "Office, Stores" under section 3320 Table of Requirements and as "Retail/commercial use" under section 2853 Table DTD-3: Required Parking Spaces in the Downtown District.
- e) 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.
- f) No products shall be displayed in the Medical Marijuana or Adult-use Retailer's window or visible from any street or parking lot.
- g) All signage for Medical Marijuana or Adult-use Retailer must meet the requirements of section 2800 and section 3200 of this Bylaw. Any exterior sign may identify the Medical Marijuana or Adult-use Retailer, 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 regulations.

#### **4856. Limitations**

Any other type of licensed Medical Marijuana or Adult-use Retailer not expressly defined herein is prohibited.

## **4857. Marijuana Definitions**

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

### **Buffer Zone:**

The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Medical Marijuana or Adult-use Retail building to the geometric center of the nearest School Entrance, unless there is an Impassable Barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the Medical Marijuana or Adult-use Retail building entrance to the geometric center of the nearest School Entrance.

### **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) Currently and validly licensed under 935 CMR 500.001, or formerly and validly registered by the Commission;
- (b) 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;
- (c) Independent financially from any MTC Marijuana Establishment or Licensee; and
- (d) Qualified to test Marijuana and Marijuana Products, including MIPs, in compliance with M.G.L. c. 94C, § 34; M.G.L. c. 94G, § 15; 935 CMR 500.000; 935 CMR 501.000: Medical Use of Marijuana; and Commission protocol(s).

### **Manufacture:**

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

### **Marijuana (or Cannabis):**

Means all parts of any plant of the genus Cannabis, not excepted in 935 CMR 500.002(a) through (c) and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; Clones of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in M.G.L. c. 94G, § 1; provided that Cannabis shall not include:

- a) 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;
- b) Hemp; or

- c) The weight of any other ingredient combined with Cannabis or 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 (Indoor or Outdoor), Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Microbusiness, Independent Testing Laboratory, Marijuana Retailer, Marijuana Transporter, Delivery Licensee, Marijuana Research Facility Licensee (as defined in 935 CMR 500.002: Marijuana Research Facility Licensee) Social Consumption Establishment (as defined in 935 CMR 500.002: Social Consumption Establishment) or any other type of licensed Marijuana-related business, except a Medical Marijuana Treatment Center (MTC).

**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:**

Marijuana Products (or Cannabis Products) means Marijuana and its products, unless otherwise indicated. Marijuana Products includes products that have been Manufactured and contain Cannabis, Marijuana, or an extract from Cannabis or Marijuana, including concentrated forms of Marijuana and products composed of Marijuana and other ingredients that are intended for use or consumption, including Edibles, Beverages, topical products, ointments, oils and Tinctures. Marijuana Products include Marijuana-infused Products (MIPs) defined in 935 CMR 500.002.

**Marijuana Retailer:**

An entity licensed to purchase, Repackage, White Label, and transport Marijuana or Marijuana Product from Marijuana Establishments and to Transfer or otherwise Transfer this product to Marijuana Establishments and to sell to Consumers. Unless licensed, retailers are prohibited from offering Marijuana or Marijuana Products for the purposes of on-site social consumption on the Premises of a Marijuana Establishment.

**Medical Marijuana Treatment Center:** Medical Marijuana Treatment Center (MTC), (formerly known as a Registered Marijuana Dispensary (RMD)), means an entity licensed under 935 CMR 501.101: Application Requirements that acquires, cultivates, possesses, Processes (including development of related products such as Edibles, MIPs, Tinctures, aerosols, oils, or ointments), Repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to Registered Qualifying Patients or their Personal Caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of Marijuana for medical use.

**Medical-use Marijuana (or Medical-use Cannabis):** means Marijuana that is cultivated, Processed, Transferred, tested or sold in compliance with M.G.L. c. 94I, and 935 CMR 501.000: Medical Use of Marijuana.

**Medical-use Marijuana or Marijuana Products:** means Marijuana Products that are Manufactured, Transferred, tested or sold in compliance with M.G.L. c. 94I, and 935 CMR 501.000: Medical Use of Marijuana.

**Social Consumption Establishment:** an entity licensed to sell Marijuana or Marijuana Products and allow Consumers to consume Marijuana or Marijuana Products solely on its Premises.

#### **4858. 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 V DEFINITIONS**

Add: Marijuana or Marihuana: “See section 4850 for all applicable definitions”.

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

#### **SECTION 2110: TYPES OF DISTRICTS.**

Amend Section 2110. Types of Districts by inserting “**Marijuana Overlay District**” after the row “Floodplain Overlay District”.

#### **SECTION 2140: DISTRICT PURPOSES**

Amend Section 2140. District purposes by inserting the following after:

FLOODPLAIN OVERLAY DISTRICT FOD: To enable the Town of Bourne to participate in the National Flood Insurance Program (NFIP) and ensure compliance with the NFIP regulations in all areas as defined as 100-yr floodplain on the Flood Insurance Rate Map (FIRM) provided by FEMA, and further defined by the Flood Insurance Study (FIS) and as regulated in Section 3110 of this Bylaw.

**Marijuana Overlay District (MOD): To give the Town the ability to impose requirements designed to encourage appropriate land use and reasonable safeguards to govern the place and manner for Medical Marijuana and Adult-use Retailers.**

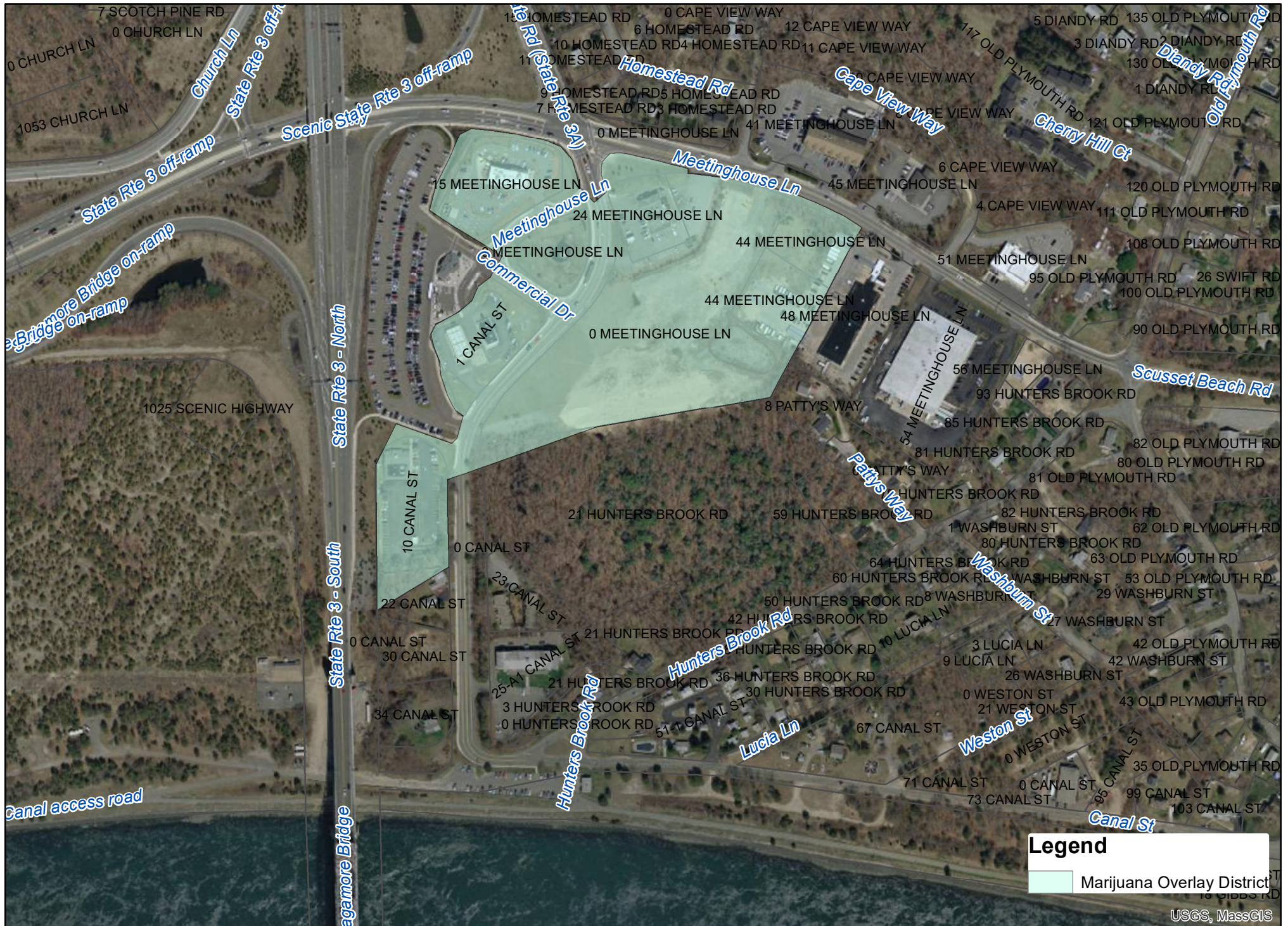




*Town of Bourne Marijuana Overlay District*  
***Downtown District***







Town of Bourne Marijuana Overlay District  
North Sagamore







**Town of Bourne Marijuana Overlay District**  
**South Sagamore**

0 160 320 640 Feet

Date: 07/13/2023





## CONSERVATION RESTRICTIONS STATEMENT OF POLICY

### TOWN OF BOURNE SELECTMEN'S OFFICE

Whereas, the protection of the environment including clean air, pure water resources, scenic areas, open space, natural habitat of fish, wildlife and plants, is a primary concern to the Town of Bourne and

Whereas, the Town updated its Open Space and Recreation Plan in 1996 to establish a strategy to protect the natural resources cited above; and

Whereas, conservation restrictions pursuant to Massachusetts General Laws, Chapter 184 Section 31 et. seq. are a proper means to implement appropriate objectives of the Open Space and Recreation Plan; and

Whereas, the Board of Selectmen and the Conservation Commission must evaluate the extent to which a conservation restriction on a particular property will yield significant public benefits by protecting water resources and clean air, preserving open space, forest lands, and natural habitat of fish, wildlife or plants and providing scenic enjoyment, outdoor recreation and education of the public;

NOW, THEREFORE, the Board of Selectmen declare it to be a policy of the Town of Bourne to accept and/or approve conservation restrictions that provide significant public benefit as enumerated above; and that conservation restrictions may be held by the Town of Bourne or state or federal agencies or qualified conservation organizations within the meaning of Section 170 of the Internal Revenue Code: and that conservation restrictions held by the Town will be controlled and enforced by the Conservation Commission and that approval of conservation restrictions by the Board of Selectmen as required by Massachusetts General Laws, Chapter 184, Section 31 et. seq. shall be conclusive confirmation that the same yields significant public benefits of the type cited herein.

Dated October 2, 2007

BOARD OF SELECTMEN

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Stephen F. Mealy

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Jamie J. Sloniecki

---

Judith W. Conron

---

Linda M. Zuern

---

John A. Ford

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## GUIDELINES FOR APPROVAL OF CONSERVATION RESTRICTIONS IN THE TOWN OF BOURNE

### A. GENERAL INFORMATION

The following guidelines outline the procedures for placing Conservation Restrictions on land in the Town of Bourne, Massachusetts, in order to render the land eligible for property tax abatement. These guidelines conform to the General Laws, Chapter 184, Section 31-33.

1. A conservation restriction is defined as a property interest which thereafter limits the future use of the land in order to retain it in its natural, scenic, or open condition, or in agricultural or forest use. It may also be referred to as a conservation easement, though the Town prefers the term restriction.
2. There is no standard form for a conservation restriction. The guidelines serve as a model and are designed to make the process orderly and expedite filing.
3. The conservation restriction is a legally enforceable agreement between the landowner and the Town or other eligible grantee such as the Bourne Conservation Trust or the Massachusetts Audubon Society. The title of the land remains with the owner and the public does not necessarily have a right to access without the owner's permission as expressed in the restriction.
4. The owner has the right to use the restricted land as he or she wishes so long as the terms of the agreement are not violated. Penalties for violating the agreement will include injunctions and/or money damages.

### B. BENEFITS TO THE TOWN OF BOURNE

Conservation restrictions may benefit the Town and its citizens and the citizens of the Commonwealth by providing various types of protection to the land. The land so restricted is generally left undisturbed except as specifically stated in the agreement.

1. The purpose of the restriction may include, but is not limited to, one or more of the following:
  - a. to preserve a scenic view, e.g., a "window to the sea"
  - b. to prevent filling of a floodplain or disturbance of wetlands
  - c. to insure that land remains in farming, forestry, or outdoor recreation
  - d. to protect groundwater quality for drinking purposes, to protect marine water quality

- e. to preserve and protect a trail, shoreline, or beach
  - f. to prevent the cutting of trees or forests
  - g. to limit or prevent construction on land of natural resource value
2. An additional value of restricted land to the Town is the difference between the cost of potential municipal services against potential tax revenues. Studies have indicated that restricted land may generate a substantial net savings to the Town.

### C. BENEFITS TO THE LANDOWNER

The landowner is compensated for the decrease in value of the land placed under a conservation restriction by granting tax relief. This compensation may be abatements or exemptions from real estate taxes, estate (death taxes) and income taxes. Real estate tax benefits are set forth in Section F.

Conservation restrictions may have inherent value to the landowner as well since the owner may thereby be able to maintain larger parcels of land intact. The integrity of land under perpetual restrictions is also maintained after death.

Conservation restrictions are recorded in the Public Restriction Tract Index at the Barnstable County Registry of Deeds. This places the parcel in a special position of safety.

### D. REQUIRED FEATURES OF RESTRICTIONS

The following represent the restrictions required by the Massachusetts General Laws. Other prohibitions are permitted uses may be negotiated to adapt to the particular characteristics of a certain property.

1. No building, road, sign, outdoor advertising display, fence, mobile home, utility pole or other temporary or permanent structure will be constructed, placed or permitted to remain on said parcel.
2. No soil, loam, peat, gravel, sand, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or unsightly or offensive material will be placed, stored or dumped thereon.
3. No loam, peat gravel, sand, rock or other mineral resource or natural deposit shall be excavated or removed from said parcel in such a manner as to affect the surface thereof.
4. No trees or other vegetation shall be cut or otherwise destroyed.

5. No surface use will be allowed except for agricultural, farming, forest or passive outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition.
6. There shall be no activities detrimental to drainage, flood control, water quality, water conservation, erosion control or soil conservation.
7. Other optional prohibitions may be negotiated between the landowner and the holder of the restriction. Specificity in the restriction document prevents confusion later over what is and is not allowed on the parcel.
8. Notwithstanding the required prohibitions contained in paragraphs D.1 through D.6 the owner/owners of record may reserve the right to conduct or permit activities not inconsistent with the intent of the restriction, if specifically stated in the restriction document.

#### E. SIZE REQUIREMENTS

A conservation restriction will be considered on parcels that are a minimum of 3 acres in area; however, smaller parcels will be considered if the entire parcel is being considered for the conservation restriction. Any remaining land not placed under the conservation restriction must meet current zoning requirements. The Board of Selectmen will determine whether land under consideration meets standards of significant public benefit after consultation with the Conservation Commission, Board of Assessors, Planning and Engineering Departments.

#### F. REASSESSMENT FORMULA\*

The following will be the formula applied to all approved conservation restrictions at the time of filing. The base will be the current fair market value of the real estate as affected by the restriction.

The following shows the current fair market value expressed as a percentage of an unencumbered parcel:

##### Closed to the Public

For the purpose of these guidelines, a property covered by a conservation restriction in perpetuity, and closed to the public, will result in an assessment of 25% (or 75% reduction) as compared to the fair market value of a similar property unencumbered.

##### Open to the Public

For the purpose of these guidelines, a property covered by conservation restriction in perpetuity, and open to the public, will result in an assessment of 10% (or a 90% reduction) as compared to the fair market value of a similar property unencumbered.

All restricted properties must allow on-foot access to officials of the holder of the restriction in order to monitor compliance with the terms and conditions of the restriction. In case of the Town as the holder of the restriction, the Conservation Commission will be the monitoring agency.

Any land already subject to statutory agricultural or recreational abatements will not be considered eligible for a conservation restriction property tax reduction. Landowners with these other abatements, however, may elect to replace their temporary abatement status with a permanent conservation restriction.

#### G. ASSESSMENT PERIOD COVERING CONSERVATION RESTRICTIONS

Applications for approval will be accepted at any time during the calendar year but must be submitted to the Conservation Commission prior to October 1<sup>st</sup> in order to receive tax benefits for the next fiscal year. Once a restriction has been recorded, it is not necessary for the landowner to apply for abatement yearly. Property taxes will be abated automatically.

#### H. RELEASE OF CONSERVATION RESTRICTION

In order for the community to make proper and accurate land use decisions for the future, it must be able to ensure that protected open space remains protected. For that reason, conservation restrictions are intended to be in effect in perpetuity. Only in cases of demonstrated extreme hardship, and after a public hearing held by the Board of Selectmen, will the Town consider releasing any restriction. The landowner of a conservation restriction expecting its release must also gain approval from the Commonwealth of Massachusetts and is subject to the penalties specified in M.G.L. c. 184, s. 32.



TOWN OF BOURNE  
CONSERVATION RESTRICTION PROCEDURES  
ACTION SCHEDULE

Action by Landowner

Owner seeks information on conservation restrictions

Owner files preliminary application with Town Administrator's Office. Document is then distributed to appropriate town departments.

Owner's attorney prepares conservation restriction agreement as negotiated with proposed holder of restriction\* and submits it to the Selectmen

Final restriction approved by Town and State is recorded at Barnstable County Registry of Deeds at owners expense, in Public Restriction Tract index.

Owner applies to Bourne Board of Assessors by October 1<sup>st</sup> for abatement of next year's property tax.

Owner secures an appraisal of restricted property if claiming more than \$5,000 deduction on federal income tax.

Owner deducts value of donated restriction on federal income tax form.

Action by Town

Conservation Commission or Town Administrator's Office provides landowner with information packet.

Within 30 days, Conservation Commission considers size, location and environmental value of land and reports to landowner.

Selectmen seek written recommendations from Conservation Commission, Board of Assessors, Planning and Engineering Departments, and Town Counsel. Within 90 days of receipt of agreement, Selectmen vote to approve and sign restriction or disapprove.

Signed restriction is sent to Secretary of Environmental Affairs in Boston for approval.

Assessors vote to grant abatement based on their established policy for reduction; abatement is permanent for duration of restriction and owner does not have to re-file each year.

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\*Holder of restriction may be Town, State, United States, Bourne Conservation Trust or other qualified conservation organization.

TOWN OF BOURNE  
PRELIMINARY APPLICATION FOR CONSERVATION RESTRICTION

E. Name(s) and address(es) of record owner(s) of property for which restriction is set.

a. \_\_\_\_\_ b. \_\_\_\_\_ c. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. Location of Property (street) \_\_\_\_\_

Assessors' Lot No. \_\_\_\_\_ Map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

G. Size: Total acreage of lot \_\_\_\_\_ Upland acreage \_\_\_\_\_ Wetland \_\_\_\_\_  
Acreage of lot to be restricted \_\_\_\_\_

H. Value: Present full assessed value of the land \$ \_\_\_\_\_

I. Deed Reference: Book \_\_\_\_\_ Page \_\_\_\_\_

J. Intended Holder of Restriction:

Town of \_\_\_\_\_  
Conservation Commission \_\_\_\_\_  
United States (National Park Service) \_\_\_\_\_  
Conservation Trust \_\_\_\_\_  
Massachusetts Audubon Society \_\_\_\_\_  
Other qualified organization (name) \_\_\_\_\_

K. Name, address and telephone number of your attorney or representative:

\_\_\_\_\_

L. Signature of Record Owners: (This application is preliminary and non-binding)

a. \_\_\_\_\_ b. \_\_\_\_\_ c. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

This application, when complete, should be delivered to the Conservation Commission for consideration of the property's environmental values. Within 30 days of receipt, the Conservation

Commission will notify you if the proposed restrictions are/are not consistent with Town conservation goals.

If you need help completing this form, please contact the Conservation Commission.

## CONSERVATION RESTRICTION

\_\_\_\_\_ of \_\_\_\_\_ Street in \_\_\_\_\_  
Barnstable County, Massachusetts for consideration of less than \$100.00, grants to the (Town of \_\_\_\_\_), (or the Trustees of the \_\_\_\_\_ Conservation Trust, a Massachusetts corporation with an address at \_\_\_\_\_, Massachusetts), its successors and assigns (the "Grantee") a Conservation Restriction on the land located in \_\_\_\_\_, in the County of Barnstable, Massachusetts, and described in Exhibit A, attached hereto and incorporated herein by reference (the "Premises"). Said \_\_\_\_\_ + heirs, devisees; legal representatives, successors and assigns are hereinafter called the "Grantor".

A. The terms of the Conservation Restriction are that, except as set forth in Paragraph B below, the Grantor will not perform or give permission to others to perform the following acts or uses on the Premises:

1. The construction or placement of any building, fence, road, sign, billboard, or other advertising display, mobile home, utility pole, tower, conduit or line or other temporary or permanent structure on, above or under the Premises except as may be necessary and desirable in the best interests of the permissible uses of the Premises. Every such man-made structure (with the exception of fences and buildings erected to secure the Premises) must not materially diminish the scenic qualities of the Premises.
2. The excavation, dredging or removal from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit in such manner as to affect the surface thereof, and the placement, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or other substance or material whatsoever, except for customary drainage ditching activities relating to mosquito and other insect control.
3. Cutting, removing or otherwise destroying trees, grasses or other vegetation, except for (a) the harvesting of hay, (b) ditching activities and (c) clearing of shrubbery, trees and other vegetation for the purposes of beautification and maintenance of vistas and existing foot trails.
4. Any commercial, industrial and institutional use.
5. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, or soil conservation.
6. Any use of the Premises and activity thereon which, in the reasonable opinion of the Grantee, is or may become inconsistent with the intent of this grant, being the preservation of the Premises predominantly in their natural condition, the protection of environmental systems and scenic enjoyment as described in the baseline documentation and natural resource inventory contained in Exhibit A.

B. The provisions of Paragraph A notwithstanding, the following uses and activities by the Grantor shall not be prohibited by this Restriction or considered inconsistent with the intent of this grant:

1.

2. (insert here allowed uses as negotiated)

(See page D-5)

3.

4.

The grantor agrees to notify the Grantee, in writing, before exercising any reserved right the exercise of which may have an adverse impact on the conservation interests associates with the Premises.

The foregoing Conservation Restriction is authorized by Massachusetts General Laws C. 184, S. 31 and 33 and otherwise by law, and is intended to ensure that the Premises will be retained in perpetuity in their natural, scenic and open condition for conservation purposes and for the protection of natural environment systems.

In the event that a breach of these restrictions by the Grantor or by a third party comes to the attention of the Grantee, the Grantee must notify the Grantor in writing of such a breach. The Grantor shall have 30 days after receipt of such notice to undertake actions including restoration of the Premises that are reasonably calculated to correct swiftly the conditions constituting such a breach. If the Grantor fails to take such corrective action, the Grantee shall at its discretion undertake such actions, including appropriate legal proceedings, as are reasonably necessary to effect such corrections: and the cost of such corrections, including the Grantee's expenses, court costs and legal fees shall be paid by the Grantor, provided the Grantor is determined to be responsible for the breach.

The Grantor and the Grantee agree that the donation of the Conservation Restriction gives rise for purposes of this paragraph to a property right, immediately vested in the Grantee with a fair market value that is at least equal to the proportionate value that the Conservation Restriction determined at the time of the give bears to the value of the Premises at that time. That proportionate value of the Grantee's property rights shall remain constant. When a change in conditions give rise to extinguishments of the Conservation Restriction, the Grantee, on a subsequent sale, exchange or involuntary conversion of the Premises, must be entitled to a portion of the proceeds at least equal to that proportionate value of the Conservation Restriction, unless the laws of the Commonwealth of Massachusetts provide that the Grantor is entitled to the full proceeds from the conversion without regard to the terms of the prior Conservation Restriction. The Grantee shall use its sale of the proceeds in a manner consistent with the conservation purposes set forth herein.

Whenever all or part of the Premises is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate the restrictions imposed by the is Conservation Restriction, the Grantor and the Grantee shall join in appropriate actions at the time of such taking to recover the full value of the taking and all incidental or direct damages resulting from the taking all expenses incurred by the Grantor and the Grantee in this action shall be paid out of the recovered proceeds.

The Conservation Restriction hereby conveyed does not grant to the Grantee, to the public, (public access may be allowed if negotiated) or to any other person any right to enter upon the Premises, except as follows: there is hereby granted to the Grantee the right to enter the Premises for the purpose of inspecting the same to determine compliance herewith, of enforcing this Conservation Restriction, or of taking any and all actions with respect to the Premises as may be necessary or appropriate with or without order of court, to remedy or abate any violation hereof.

The burdens of this Conservation Restriction shall run with the Premises and shall be enforceable against the Grantor and all future owners and Tenants in perpetuity. The benefits shall be in gross and assignable but only to a qualified organization within the meaning of Section 170 (h) (3) of the Internal Revenue Code which is organized or operated primarily or substantially for one of the conservation purposes specified in Section 170 (h)(4)(A) of the Internal Revenue Code. Any assignment of benefits by the Grantee (or successor) must require the transferee to carry out the purposes of this conservation Restriction.

THE right hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for enforcement of this Conservation Restriction.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner

COMMONWEALTH OF MASSACHUSETTS

County:

Date:

Then personally appeared the above-named \_\_\_\_\_ and  
acknowledged the foregoing instrument to be his/her free act and deed, before me.

\_\_\_\_\_  
Notary-Public  
My Commission Expires:  
\_\_\_\_\_

## Model Conservation Restriction

### Required Prohibitions (from M.G.L. C. 184 S. 31)

- a. construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground.
- b. dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials.
- c. excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface.
- d. removal or destruction of trees, shrubs, or other vegetation.
- e. surface use except for agricultural, farming, forest or outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition.
- f. activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or
- g. other acts or uses detrimental to such retention of land or water uses.

### Optional Prohibitions or Allowed Uses

- ◆ subdivision
- ◆ motor vehicle use, including snowmobiles, ATV's, ORV's
- ◆ parking areas
- ◆ hunting, trapping, fishing
- ◆ dock, mooring or boating facility
- ◆ mobile homes
- ◆ pesticide use
- ◆ fences
- ◆ grazing of domestic animals
- ◆ aeration of natural watercourses, shores, marshes or other water bodies or water bodies or water purity, water level and/or flow
- ◆ subsurface sewage disposal systems
- ◆ gardens for home consumption
- ◆ mosquito control
- ◆ hay harvesting including salt marsh hay
- ◆ curing of vegetation for scenic vistas and to prevent disease
- ◆ private supply well
- ◆ public access for passive recreation nature study
- ◆ approved agriculture and woodland management
- ◆ maintenance of foot trails, including cutting of brush, slope stabilization and grading
- ◆ improvements of existing structures
- ◆ control of predators
- ◆ boardwalks and stairs
- ◆ signs to denote animal nesting areas
- ◆ other



Dear Ms Mastrangelo:

June 15, 2023

I have several concerns regarding the “Marijuana Overlay District” proposed zoning bylaw as outlined in the draft proposal dated Jun 1, 2023. I have listed some specific sections and then overall concerns. I have made comparison in some aspects to the Pioneer Valley Planning Commission Adult-Use Marijuana Establishments Bylaw/Ordinance, June 2018. As you probably know, the PVPC model bylaw was created in response to numerous requests for assistance by member communities such as Springfield, Belchertown and Cummington.

Applicability 4852c p.2 grants licenses to Medical Marijuana and Adult-Use Marijuana Retailers by Site Plan Review/Special Permit from the SPGA or Site Plan Review from the Planning Board, the Permit Granting Authority. As I understood the discussion, the Buzzards Bay downtown district was the only location being considered where a license would be granted by special permit. Licenses should be granted by special permit for all locations to make more protections available to the Town.

At the Planning Board Meeting on 6/1/23, it was suggested that hours of operation be removed altogether from Applicability 4852f p. 2, and that it be left up to retailers to choose hours in their respective neighborhood locations. The result of that would be an extremely broad window for operations. Not to set any hours for deliveries at minimum is problematic for law enforcement and abutters. The hours could be set by the Special Permit Granting Authority (PB) at the time of application Under Additional Requirements/Conditions, with a provision that no sale or other distribution or delivery of marijuana should occur between hours of 9:00 pm and 8:00 a.m., for example. To quote the PVPC Model, P. 8, (3)(a)(iii) “The hrs of operation shall be set by Special Permit Granting Authority, but in no event shall an RMD or OMMD facility be open to the public and no sale or distribution of marijuana shall occur upon premises or via delivery from the premises between the hrs of 8:00 p.m. and 8:00 a.m.” This would be of help to law-enforcement and abutters alike.

Application Requirements 4853 b6, P3. No provision has been made to require a vehicular impact study. A vehicular traffic impact study is necessary to establish Medical and Adult-Use Marijuana Retailer’s impacts at peak demand times, including a “line queue plan” to ensure the movement of vehicular traffic, including but not limited to, along the

public right of ways will not be unreasonably obstructed. “ PVPC model p. 11.

Findings – The above should also be included under Findings as shown in PVPC Model p. 12, (5.) Findings (f), “ That the marijuana establishment facility adequately addresses issues of traffic demand, circulation flow, parking and queuing, particularly at peak periods at the facility, and its impact on neighboring uses.

4854 Location Requirements: 4854a, P3 draft states “Buffer Zone: “Marijuana Establishments buffer zones shall comply as stated in MA 105 CMR 725 and 935 CMR 500.”

But, the Buffer Zone requirements could be obviated by the following 4854b P 3:

4854 Location Requirements 4854b, P3, the draft states the Planning Board may “authorize exceptions to dimensional requirements of section 2500 including buffer zone requirements of 935 CMR 500.110. The departure must be the minimum necessary to afford relief.”

In the case of schools as well as playgrounds and day care centers, for either type of marijuana establishment, no exceptions should made to 500’ dimensional requirements whatsoever. Further, a fence is not an impassible barrier to young people or persons seeking to sell product to young people and no exception should be made to the required distance because a fence is to be installed. The Town’s Buffer Zone requirement should be the same for Medical Use Marijuana and Adult-Use Marijuana since they could co-locate or be allowed other licenses.”

“Licensed marijuana social consumption operator” is cited in 4852h as being a location where social marijuana consumption is not prohibited, but it is unclear if it is included on p. 4, 4856 Limitations: “Any other type of licensed Marijuana Establishment not expressly defined as a Marijuana Establishment as described herein.” It is not listed on p.5-6, under 4857 Marijuana Definitions, ‘Marijuana Establishment’ on the draft. I couldn’t find it listed under MA G.L. 94G \*1 under definitions. However, it ~~is~~ listed by the Cannabis Control Commission under License Types as a type of Marijuana Establishment, “Social Consumption Establishment” on their website.

Since it is mentioned in 4852h of the Town’s proposed Bylaw, it should be included under “Marijuana Establishments” and make absolutely clear it is a prohibited type of licensed marijuana establishment under the proposed zoning bylaw, as well as any future types or classes of marijuana establishment licenses the CCC creates.

4856 Limitations - does not explicitly say all other types of Marijuana Establishments not expressly defined as a Marijuana Establishment are prohibited by this bylaw/ordinance.

4854 Location Requirements 4854d, p 3 needs re-consideration.

Eliminating the previously stated 150' distance requirement between Marijuana Retailers as measured "in a straight line between the nearest points of Marijuana Retailer buildings" in favor of letting marijuana retailers or the "market" decide placement, does not protect the Town. Other towns have distances of 1500-2500 feet. Assuming it is not a good business practice for a business to be located near another similar business, thus no marijuana retailer will seek to do it, is not necessarily a valid assumption. Other retailers could consider it convenient to be located near a similar established business. Close placement could be construed as an attraction to customers and the retailer could hold the view, that market share could be obtained by doing something better or offering different products. A "marijuana hub" could be created which would cause further problems and is undesirable for neighboring businesses.

Aside from my view that the proposed bylaw in current form does not afford sufficient protections for the Town, I have two overriding concerns about the town of Bourne becoming a HOST community. First, the use of recreational marijuana would be normalized in the community and therefore in the minds of young people. It would not prevent the diversion of marijuana product to youth. Incidences of children and teenagers being hospitalized or self-admitting to using marijuana products increases in most cities and towns where adult-use marijuana has been approved.

My second, overwhelming concern regarding this push to repeal the recreational marijuana ban arises from my conclusion that the outcome of doing so will be the establishment of a superseding body or authority over the Town of Bourne. The Cannabis Control Commission and the Commonwealth of MA have made their intent plain that existing laws will be updated and additional regulations will be "promulgated" "to establish minimum acceptable standards for host communities to promote and encourage the full participation in the regulated marijuana industry by people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement" unless a town has a "general or special law to the contrary." (Act 2022 180 Section 10, 5)

And continuing, with Section 11 (f): "The failure of a host community to adhere to such procedures and policies shall result in a monetary penalty

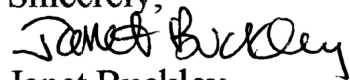
(4)

to the host community equal to the annual total of community impact fees received from all marijuana establishments or medical marijuana treatment centers operating within the host community, to be deposited into the Cannabis Social Equity Trust Fund...". This is a very harsh penalty and may serve to intimidate local government from considering the best interests of their town or city. The Cannabis Control Commission also intends to add "types or classes of licenses" as described in Part 1, Title XV 94G Section 4, (xxxviii). Licensees can also "bring a breach of contract" against a host community and recover "damages, attorney's fees and other costs encompassed in the community impact fee that are not reasonably related to the actual costs imposed upon the city or town." (2022 Chapter 180, Section 10, 2 (iii). Many towns are currently being sued by their licensees for this reason.

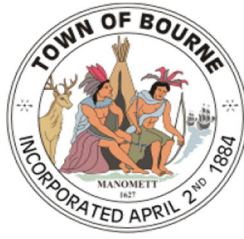
Those who have been disproportionately harmed by marijuana prohibition and enforcement will be better served by the decriminalization of marijuana and an expungement of records. The Town could go further and establish a mentor or intern program with local businesses and service providers to help those disproportionately harmed establish themselves as business operators where people and services are needed, not in an oversaturated industry that operates on an addiction model.

The Town of Bourne should keep its autonomy and current form of government to best serve its residents. I hope you and the Select Board will take stock of this sprawling and uncontrollable "industry" and resist involvement for the sake of the Town.

Sincerely,



Janet Buckley



## Select Board's Correspondence

July 18, 2023

- A. J. Hensley Email – Marijuana Opposition
- B. Youth Cannabis Use in Hampshire County, MA
- C. DEP Letter – Draft Uniform Federal Policy
- D. Abutters Notice – 90 Circuit Ave
- E. Eversource – Herbicide Application
- F. K. Dwyer Postcard – Swim Float
- G. J. Heckman email re Cable and Broadband Committee

## Kathleen Thut

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**From:** Jody Hensley [REDACTED] >  
**Sent:** Friday, July 7, 2023 2:38 PM  
**To:** Marlene McCollem  
**Subject:** Marijuana Opposition for the record...

Dear Select Board Members,

I read with interest this article in the Bourne Enterprise.

The **content** of the statement from a **school committee** opposing commercial marijuana, shared at a June 9 public meeting, is valid. Increasing access to commercial marijuana in the community environment, a policy which has been proven to produce higher frequency & potency in youth Mj use rates compared to MA towns without commercial Mj — should be opposed. It IS hypocritical to support commercial marijuana marketing while simultaneously teaching students not to use drugs.

Four Bourne Town votes against marijuana, 2016, 2017, 2018, 2023, should be enough. This will be the 5th time the people of Bourne have to defend themselves from the aggressive marijuana industry. Our local leaders would do well to acknowledge this.

I'd like to plead with that the board stays focused on the harms and risks of marijuana use — the same message that the drug prevention education curriculums are teaching in the schools. And consider the good reasons to uphold the current marijuana ban in Bourne, rather than exclusively looking for reasons and ways to repeal the ban.

Thank you,  
Jody Hensley  
[REDACTED]

### [Marijuana Hearing Public Comment Causes Confusion, Misinterpretation Of Statement](#)

Marijuana Hearing Public Comment Causes Confusion, Misinterpretation Of Statement  
By CALLI REMILLARD 9 hrs ago

... The planning board's ongoing discussion of marijuana zoning was once again on the agenda for its June 8 meeting. During the discussion, **Mr. Oesterheld took to the podium to address the board and share his sentiments, which were in opposition to and critical of the concept of lifting the town-wide ban on marijuana sales.** He told the board that his position on the zoning bylaw for marijuana establishments in Bourne would be to "zone none."

"As I see it," he said, "it's a matter of accessibility." Mr. Oesterheld then said that he would like to read a statement from "the school committee" along the lines of marijuana zoning. He asked if it was appropriate at that time and was given the affirmative by Mr. Doucette.

Mr. Oesterheld recited the following: “We, the school committee, **stand in opposition to any amendment to current zoning regulations that would create cannabis overlay districts within the town. We support the prohibition of nonmedical marijuana establishments in all zoning districts. The committee believes that legalizing the commercialization of marijuana through cultivation and sale in the town is not in the best interest of our students.**”

He continued reading the statement, which starkly condemned the allowance of marijuana use or sale in town and touted a “dismal set of life outcomes” as consequences of marijuana use, including welfare dependency, greater unemployment and lower life satisfaction.

“We believe that the Council has **the opportunity to send a clear, concise, and unequivocal message to our students that the adults of this community will not put our own commercial or recreational interests above their safety and well-being,**” Mr. Oesterheld read, “**and we will not be hypocrites telling students to ‘just say no’ while simultaneously marketing edibles and other enticing marijuana products.**”

Mr. Oesterheld concludes the statement by saying that “**the school committee does not share the belief that ‘retail pot shops are not a threat, but an asset’**”; however, he continued speaking, saying that the Bourne Opt-Out Committee sent a similar statement to the Bourne School Committee, the planning board and the select board in 2018.

“The school committee took it under advisement,” Mr. Oesterheld said. “**Apparently, you folks are still taking it under advisement because we haven’t had a response about those issues yet.**” ...

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## Youth Cannabis Use and Related Attitudes in Hampshire County, MA



*“I voted for legalization, I definitely was behind it. But I’ve had more questions since then, and definitely watching my kid, I’m like, whoa. And I have friends who are like how I feel – kind of bad I voted for legalization.”*

-Hampshire County parent

Youth health survey data from Hampshire County, MA suggests that cannabis commercialization is connected to youth cannabis use and related attitudes. In one Hampshire County municipality that is home to multiple cannabis retailers, teens’ risk perceptions of cannabis have declined 15.5% since pre-legalization (39.9% of youth reported that cannabis use was risky in 2022 compared to 47.2% in 2015), and their perceptions of their parents’ disapproval of them using cannabis have declined 14.7% (72.4% of youth reported that their parents disapprove of them using cannabis in 2022 compared to 84.9% in 2015). This matters because lower risk perceptions of harm and parent disapproval are consistent, longitudinal predictors of higher substance use rates. Furthermore, regression analyses show that the more cannabis retailers Hampshire County youth report living by, the more likely they are to report using cannabis in the past 30 days. This makes sense, as nearly half of Hampshire County teens (45%) who report using cannabis indicate that the cannabis they used originated from a licensed dispensary.

Some of the strongest data from Hampshire County to make the case that cannabis commercialization is tied to higher rates of youth use compares teen use rates in 2015 (pre-legalization) to those in subsequent years, after multiple retailers opened in some municipalities but not others. Generally speaking, results show that in 2015 - before any retailers opened - youth cannabis use rates, including heavier use, were statistically similar between towns. However, by 2022, use rates were significantly higher in towns where 5+ storefronts opened up compared to towns where fewer than 5 stores opened. For example, between 2015 (pre-legalization) and 2022 (6 years after legalization and 4 years after cannabis retailers began opening), there was a 60% increase in high schoolers’ past 30 day cannabis use in a town where multiple retailers opened (20% in 2015 and 32% in 2022) compared to a 16% *decrease* in use among high schoolers countywide (excluding this town; 25% in 2015 and 21% in 2022).

These results are not unique to Hampshire County, MA. Systematic, published reviews of the scientific evidence to date show that adolescent cannabis use increases following legalization in several geographical jurisdictions (e.g., [Lachance et al., 2022](#)), and rigorous evidence of the impact of commercialization on cannabis use is rapidly accumulating (for a particularly compelling study, see [Zellers et al., 2022](#); see also [Kilmer et al. 2022](#); [Mennis et al., 2023](#)). Commercialization increases availability of cannabis products, and the shifting norms and ease of access that results from retailer openings has a lasting influence on our youth and their decision-making regarding cannabis use.

*For questions, please email Caroline Johnson, PhD, SPIFFY Researcher, at [CAjohnson@collaborative.org](mailto:CAjohnson@collaborative.org).*





Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healey  
Governor

Kimberley Driscoll  
Lieutenant Governor

Rebecca L. Tepper  
Secretary

Bonnie Heiple  
Commissioner

July 6, 2023

Air Force Civil Engineer Center/JBCC  
Attn: Ms. Rose H. Forbes  
Remediation Program Manager  
322 East Inner Road  
Otis ANG Base, Massachusetts 02542

RE: **BOURNE – BWSC**  
Release Tracking Number: 4-0000037  
Joint Base Cape Cod (JBCC)  
**Draft Uniform Federal Policy - Quality Assurance Project Plan Chemical Spill-10 Details C and F Investigation - MOR, Comments**

Dear Ms. Forbes:

The Massachusetts Department of Environmental Protection (MassDEP) has received the Air Force Civil Engineer Center (AFCEC) memorandum of resolution (MOR) dated June 23, 2023, issued in response to MassDEP comments on the document **“Draft Uniform Federal Policy - Quality Assurance Project Plan Chemical Spill-10 Details C and F Investigation”** (the UFP-QAPP) dated January 2023. The UFP-QAPP was prepared for the AFCEC to describe the management and technical approach for a proposed investigation to eliminate existing data gaps and to characterize the nature and extent of environmental contaminants previously identified at Chemical Spill-10 (CS-10) Details C and F.

MassDEP has no comments on the MOR and no further comments on the UFP-QAPP.

Please incorporate this letter into the Administrative Record for the CS-10 source area at Joint Base Cape Cod. If you have any questions regarding this letter, please contact me at (508) 946-2871.

Sincerely,

Leonard J. Pinaud, Chief  
Federal Site Management  
Bureau of Waste Site Cleanup

Ec: Upper Cape Select Boards  
Upper Cape Boards of Health  
JBCC Cleanup Team  
MassDEP Boston/Southeast Region

**PUBLIC MEETING NOTIFICATION TO ABUTTERS  
UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT, CHAPTER 131, SECTION 40 AND  
THE TOWN OF BOURNE WETLANDS PROTECTION BYLAW ARTICLE 3.7**

BOURNE BOARD OF SELECTMEN  
ROAD 2023 JUL 19 AM 10:46

Please be advised that the BOURNE Conservation Commission will review the Request for a Determination of Applicability (RDA) application of:

(Applicants/owners) Robert K. Morse, Erica K. Morse and Linda S. Morse for work proposed at

Location: 90 Circuit Avenue Bourne, MA  
(Assessors Map 43.3 -Parcel 226 ).

The purpose of this notification is to allow the public the opportunity to review and comment on the proposed work.

**PROPOSED WORK:**

The applicants propose to: upgrade the existing septic system with a proposed Nitrore denitrifying system

The *Abutters List* was prepared by the Assessor's Department of Bourne and the list indicates that you are one of the abutters to the locus (see the enclosed list.) *We look forward to your participation in the review process.*

The **PUBLIC MEETING** on this matter is scheduled for:

Date: August 3, 2023

Time: 6:30 pm

Place: Bourne Veteran's Community Center  
239 Main Street Buzzards Bay, MA 02532 Rm #2 -James Mulvey Room

The PLAN & the RDA application concerning this matter are on file with the Bourne Conservation Commission. They may be reviewed during normal business hours Monday-Friday from 8:30 AM to 4:30 PM. You may call the department at (508)-759-0600 X1344 to arrange an appointment or to ask questions. The plans can be viewed by emailing [SFitch@townofbourne.com](mailto:SFitch@townofbourne.com) or [AAmado@townofbourne.com](mailto:AAmado@townofbourne.com).

**Additional questions can be directed to:**

Raul Lizardi-Rivera, Cape & Islands Engineering, Inc.  
[Raul@capeeng.com](mailto:Raul@capeeng.com)  
508-477-7272



247 Station Drive, SW-1036  
Westwood, MA 02090

**William Hayes**  
Senior Supervisor  
Electric Transmission  
Vegetation Management

Certified mail-return receipt requested

July 1, 2023

Dear Municipal Official:

This letter is to inform you that Eversource Energy, Eastern MA intends to selectively apply herbicides in 2023 along the power line rights-of-way that pass through your municipality. This treatment is conducted as a component of an integrated vegetation management program that uses the appropriate mechanical and/or herbicides treatments to control vegetation in order to encourage the growth of healthy early successional ecological communities that benefit wildlife while allowing for the safe delivery of electricity to our customers.

Eversource Energy, Eastern MA's 2023-2027 *Five-year Vegetation Management Plan (VMP) for Cape Cod and Martha's Vineyard (Barnstable and Dukes counties)* is posted at the following websites:

<https://www.mass.gov/service-details/rights-of-way-vegetation-management-vmps-yops-and-notices>

<https://www.eversource.com/content/residential/about/reliability/vegetation-management/transmission-system-vegetation-management/transmission-vegetation-management-projects>

If you would like a hard copy please contact us with this request.

Eversource Energy, Eastern MA's 2023 *Yearly Operational Plan (YOP) for Cape Cod and Martha's Vineyard* is also posted at the above websites. If you would like a hard copy, please contact us with this request.

Please review the YOP map(s) that locate the ROW corridors and the plotted location of known sensitive areas including public and private drinking water supplies. **If there are any additional sensitive areas located on or near the ROWs, please advise us as soon as possible so a permanent record can be established, and appropriate field protective actions implemented. We particularly rely on this process to collect corrections to the public wells and to record the location of private wells.** The enclosed maps will be updated with any new information that is received by Eversource Energy, Eastern MA and posted at the above website.

The herbicides are listed in Section VII of the YOP and will be selectively applied to target vegetation by experienced, Massachusetts' licensed/certified applicators that walk along the ROWs using backpack equipment.

The foliage treatments will take place between August 15<sup>th</sup> and October 18<sup>th</sup> along with cut surface treatments (CST). Fall CST, basal treatments or sensitive foliar treatments may be necessary and are scheduled between October 1<sup>st</sup> and December 31<sup>st</sup> in areas along the ROWs that might not have received a foliage treatment or to trees over 12 feet tall. The exact time is dependent upon weather conditions and field crew progress.

In compliance with 333 CMR 11.06-11.07, No herbicide applications will occur before the conclusion of the 45-day YOP review period, the 21-day treatment notice and the 48-hour newspaper notice. At the end of these review periods, which can run concurrently, no application shall commence more than ten days before nor conclude more than ten days after the treatment periods listed above.

All the herbicides selected for this program are registered by the Federal Environmental Protection Agency, the Massachusetts Pesticide Board, and are recommended for use in and around sensitive areas jointly by the Massachusetts Pesticide Bureau and Massachusetts Department of Environmental Protection (please refer to the YOP for specifics).

The work will be performed by the following company:

Lewis Tree Service, Inc  
300 Lucius Gordon Drive  
West Henrietta, NY 14586  
(585) 436-3208

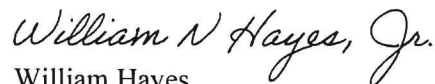
This informational 21-day notification follows Chapter 132B, section 6B of the Massachusetts General Laws and 333 CMR 11.05-11.07 Rights of Way Management and Chapter 85, Section 10 of the Acts of 2000.

For inquiries concerning the safety of the herbicides please contact:

Director of Rights of Way Program  
Department of Food and Agriculture  
251 Causeway Street, Suite 500  
Boston, MA 02114-2151

If there are any questions or comments relative to technical questions about the treatment program, you would like a hard copy of the VMP or YOP, or have any questions about Eversource Energy, Eastern MA and its electrical rights-of-way system please contact William Hayes (781) 441-3932 for transmission lines.

Sincerely,



William Hayes,  
Senior Supervisor

Enc: Environmental Monitor Notice  
2023 Yearly Operational Plan Maps  
45 Day YOP Public Notice and Review and Comment Period Document

cc: Board of Health  
Board of Selectmen  
Conservation Commission  
Municipal Water Supplier  
Massachusetts Pesticide Bureau



**William Hayes**  
Senior Supervisor  
Electric Transmission  
Vegetation Management

July 1, 2023

**45 Day Yearly Operational Plan  
Public Notice, Review and Comment Period**

Dear Municipal Officials:

In compliance with 333 CMR 11.06, *45 Day Yearly Operational Plan Public Notice, Review and Comment*, please review Eversource Energy, Eastern MA's 2023 Yearly Operational Plan for Cape Cod and Martha's Vineyard (Barnstable and Dukes Counties)

Posted at the listed websites, Eversource Energy, Eastern MA's *Yearly Operational Plan (YOP) for Cape Cod and Martha's Vineyard* details specific information pertaining to the intended 2023 program:

<https://www.mass.gov/service-details/rights-of-way-vegetation-management-vmmps-yops-and-notices>

<https://www.eversource.com/content/residential/about/reliability/vegetation-management/transmission-system-vegetation-management/transmission-vegetation-management-projects>

Please review the enclosed maps that locate the rights-of-way and the location of known *sensitive areas*. If there are any additional *sensitive areas* located on or near the right-of-way, please advise us as soon as possible, so we may establish permanent records and implement appropriate field protective actions. We particularly rely on this process to collect corrections to the public wells and to record the locations of private wells. The enclosed maps will be updated with any new information that is received by Eversource Energy, Eastern MA and posted at the above website. If you would like a hard copy of the YOP, please contact us with this request.

Also please review the enclosed copy of the Environmental Monitor Notice, published under the Massachusetts Environmental Policy Act (MEPA) also located at:

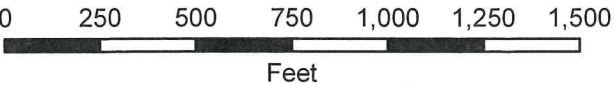
<https://www.mass.gov/service-details/the-environmental-monitor>

Enclosures: 21 Day Letter  
Environmental Monitor Notice  
2023 Yearly Operational Plan Maps

Notice Sent to: Chief Elected Municipal Official  
Board of Health  
Conservation Commission  
Municipal Water Supplier  
Massachusetts Pesticide Bureau

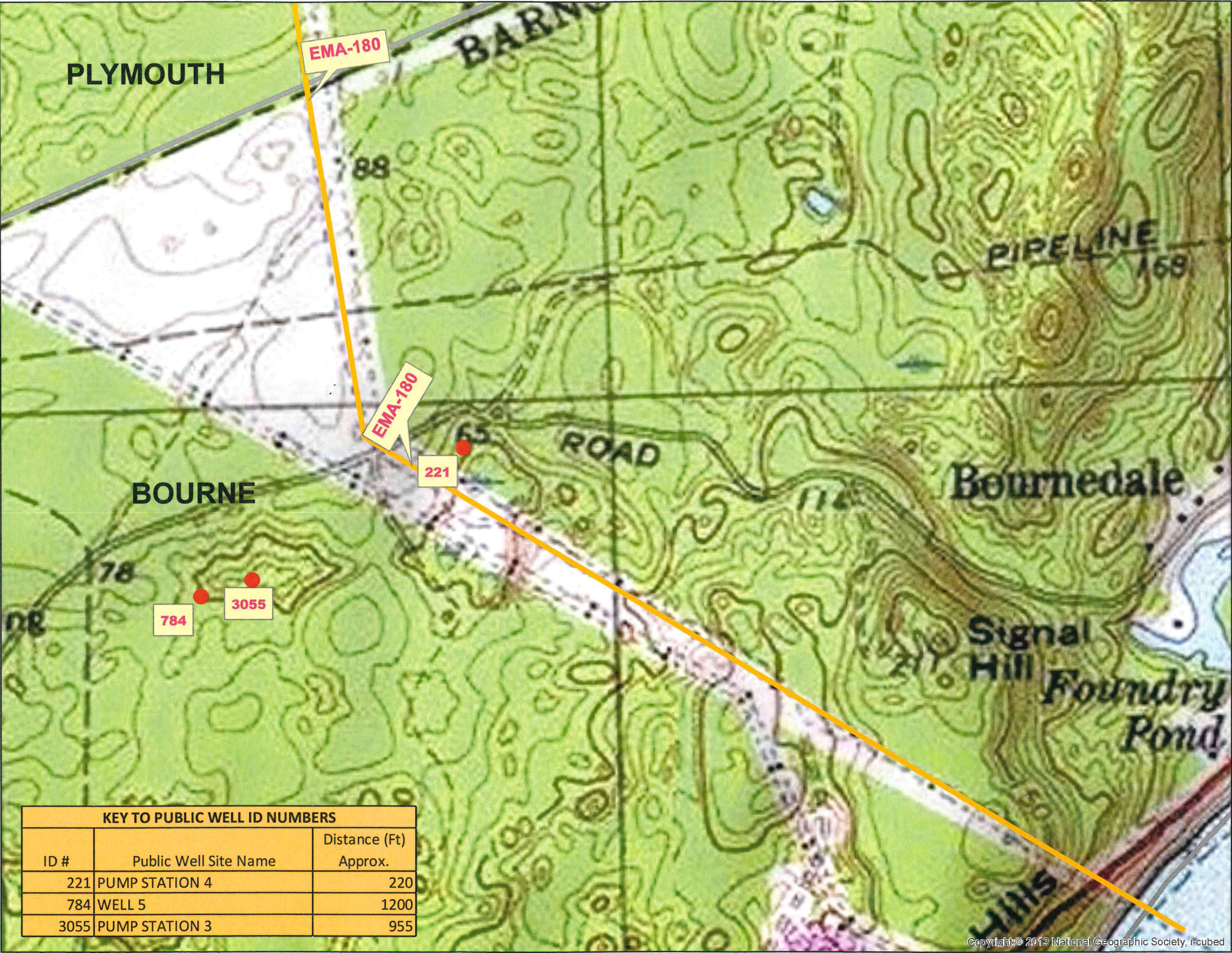


Eversource Energy  
Eastern, MA  
2023 Yearly  
Operational Plan  
**BOURNE**  
Rights of Way  
EMA-180



- 2023 Eversource Rights of Way
- Emergency Surface Water Well
- Ground Water Well
- Non-Transient, Non-Community Well
- Proposed Well
- Surface Water Well
- Transient, Non-Community Well
- Private Well
- NHESP Certified Vernal Pools
- Perennial Rivers and Streams
- Intermittent Rivers and Streams
- Mass Town Lines
- Mass Zone A (identifies surface waterbodies, tributaries and associated waterbodies, follow Sensitive Area treatment methods per 333 CMR 11.04)

KEY TO PUBLIC WELL ID NUMBERS		
ID #	Public Well Site Name	Distance (Ft) Approx.
221	PUMP STATION 4	220
784	WELL 5	1200
3055	PUMP STATION 3	955





[REDACTED]

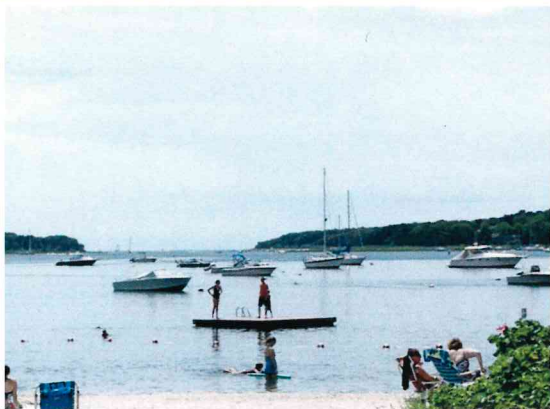
Please restore  
our swim float.

We need it (to keep  
kids from using the  
dock instead)

Kathy Dwyer



Select Board  
24 Perry Ave.  
Buzzards Bay, MA 02532





## Kathleen Thut

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**From:** Justin Heckman via VTH-RC1 <cmsmailer@civicplus.com>  
**Sent:** Wednesday, July 12, 2023 11:55 AM  
**To:** Marlene McCollem  
**Subject:** Form submission from: Contact Us

Submitted on Wednesday, July 12, 2023 - 11:54am  
Submitted by anonymous user: 76.119.203.10  
Submitted values are:

Name: Justin Heckman  
Email: [REDACTED]  
Subject: Cable and Broadband committee  
Message:

Hello,

I am reaching out regarding the Cable and Broadband committee discussed in last evening's select board meeting. As the Vice-Chair of the most recent Cable Committee, I applaud and fully support the work being done to create a new committee to address the communication needs of our residents. I agree strongly with the Chair's concerns around the charge of the committee, and not getting overrun with managing service issues from Comcast. I believe that creating the conditions for competition, will naturally force better service. That said, it is my understanding from our contract review, that the town does have some leverage when any issues pertain to cable television service - if I recall correctly, Comcast is required to investigate, review and report on services issues brought forward by the town. So, perhaps there is a method to aggregate these reports and put in the charge to include regular reviews of service levels with existing providers. One question: while the charge is being created, in the interim, is there a mechanism to bring forward grant applications or opportunities, without a formed committee, to be sure we don't miss out on potential funding? Thank you for your work on this important issue.

The results of this submission may be viewed at:  
<https://www.townofbourne.com/node/189686/submission/9731>