

November 14th, 2023

To the Town of Bourne Board of Health Commissioners:
Don Uitti, Barbara Princiotta, William "Dusty" Meier,
Robert Collett, William "Bill" Doherty, Chair and Terri
Guarino, Agent.

I am writing this letter as an abutter to ask you to VOTE
NO on the application for the construction of a 4-bedroom
house at 176 Scraggy Neck Road, Cataumet, MA.

Currently there is a small, 612 sq. ft., cottage on this lot.
The applicant is asking for eight variances in order to build
an 8,056 sq. ft. house (see their plan dated 9-12-2023),
which is significantly larger than the agreed to 4,317 sq. ft.
home agreed to by the Conservation Commission in May,
2022.

Requesting eight variances immediately tells the Board
that it is a difficult location, impacted and constrained by
coastal banks, salt marshes, salt ponds and other wetland
resource areas. All of these areas are hydrologically
connected and any leaching fields built within 100' of the
wetlands require that they be analyzed and presented to
the BOH by a certified hydrogeologist before any
application for construction is considered.

*Bourne Bylaws: Pursuant to Chapter 111 Section 31 of
Mass. General Laws, the Bourne Board
of Health. at its regular meeting of May 24, 1995 voted to
amend its regulation of September 28, 1988. effective date*

RECEIVED

By Bourne Health Department at 12:32 pm, Nov 14, 2023

October 19, 1988 by changing the 4th sentence of said regulation to read as follows:

In addition, a hydrogeology study. prepared by a hydrogeologist or professional sanitary engineer. will be required by the Board of Health for all leaching facilities within 100 feet of a wetland or watercourse as defined by 310 CMR 15.01, 1978 Title 5.

Bourne Board of Health

When following the set back requirements dictated by the Town of Bourne Bylaws and Massachusetts Law, there is a potential building envelope that would allow a the construction of a site-sensitive home. Eight variances are not necessary to build a house on this location.

Please enforce the Bourne Bylaws and VOTE NO on this application.

Thank you,
Kate McCarey
168 Scraggy Neck Road

November 14, 2023

Maryfrances Galligan
170 Scraggy Neck Road

RECEIVED

NOV 14 2023

Bourne Health Department
24 Perry Avenue
Buzzards Bay, MA 02532

Dear Board of Health Members,

As an abutter to 176 Scraggy Neck Road (I reside at 170 Scraggy Neck Road) I am asking you to VOTE NO on the 8 variances requested by the applicant.

Our wetlands lawyer Elizabeth Pyle of Hill Law and our Water Resources Consultant have submitted letters challenging these multiple variances.

8 Variances in one of the most environmentally sensitive areas of Cataumet is too many!! As you can see from the aerial photo below – the proposed development is surrounded by wetlands (the three coastal banks are not visible). There are 4 salt ponds that surround the site and are hydrogeologically connected to the site.

As the applicant is requesting to raze an existing small seasonal cottage (approx. 600 sq. feet) and build a new 4 bedroom house – there is no hardship – they can build within the building envelope that requires no variances – they have options – they do not need to overbuild in such an environmentally sensitive area.

The plans before the BOH and not the same plans that went before Conservation. The size and scale of the house has now grown exponentially from 4,317 sq feet on May 16, 2022 (including garage and decks) to the new plan of 8,056 sq. feet (dated Sept. 12, 2023). I ask you to visit the property and note the narrow dirt shared driveway, the saltmarsh that runs along the right hand side, the vernal pool on the left hand side. The trucks alone for an 8,000 sq foot house will be devastating to the ecosystem.

You, as Board members are the protector of our saltmarshes, our salt ponds and our coastal banks. You, as Board members are the enforcement group of our tried and true Bylaws that were put on the books for protecting our wetlands. This new build will put all three of these wetland categories at risk. Please protect our environment, our water quality, our shellfish beds, our eel grass.

This is not a situation where the applicant has an existing home and needs to upgrade the septic system to reduce nitrogen. This is a start from scratch new build.

Hydrogeologic study – we have a Bylaw (see below) on the books that requires a hydrogeologic study if the proposed septic system is within a 100-ft setback. We have been asking the applicant to conduct this study. They have refused!

HYDROGEOLOGIC STUDY REQUIREMENT FROM THE TOWN OF BOURNE

BOARD OF HEALTH TOWN OF BOURNE

Pursuant to Chapter 111 Section 31 of Mass. General Laws, the Bourne Board of Health. at its regular meeting of May 24, 1995 voted to amend its regulation of September 28, 1988. effective date October 19, 1988 by changing the 4th sentence of said regulation to read as follows:

In addition, a hydrogeology study. prepared by a hydro geologist or professional sanitary engineer. will be required by the Board of Health for all leaching facilities within 100 feet of a wetland or watercourse as defined by 310 CMR 15.01, 1978 Title 5.

Bourne Board of Health

Thank you in advance for your consideration and no vote on this project.

Kind Regards, Maryfrances Galligan

Please scroll to next page for proposed building site



Approximate location of proposed
4-bedroom home, garage, and deck

From: David Malcom <skm1949@sbcglobal.net>

Date: November 13, 2023 at 1:29:47 PM EST

To: Terri Guarino <TGuarino@townofbourne.com>, staceyburgess@townofbourne.com

Subject: 176 Scraggy Neck Road Variances

Please distribute to board members before the meeting. Thank you.

Dear members of the Board of Health

I am an abutter to 176 Scraggy Neck Road, as well as a full time resident and registered voter in the Town of Bourne.

I am very concerned about the number of variances needed for this project to be approved. That should be a red flag to the Board. The area in question is very fragile, with salt ponds, a vernal pool, and eel grass that I know the Dept of Natural Resources has been very aggressive about protecting from winter storage of floats etc on the marshes.

Bassetts Island, is a true jewel which sits directly across the channel from this project. It was given to the Town many years ago, and no matter how crowded it is on the weekends, the users leave it pristine. To me, that indicates the value they place on having this treasure to enjoy. This past spring, there have even been piping plovers nesting there. Across from Bassetts, in the area under consideration, there is a vast assortment of wildlife. It is not unusual to see three or four egrets (white, heron type birds) sitting in the cedar trees. The abundance and variety of wildlife ranges from loons, two active osprey nests, eastern box turtles (on the endangered list in MA), green herons, blue herons, coyotes, owls, nesting red tail hawks, on our property. My husband and I encountered a deer swimming from Bassetts to the area in question, midday, in the middle of summer.

I should also add that the area in question is surrounded by town maintained shell fishing beds.

I may be focussing on the natural aspects of this project, but the Town must protect the natural assets we have. Subjecting this area to more deforestation, possible pollution from a septic system, even with a 1A system, is not in the best interest of the Town as a whole, and this area in particular.

The Town has bylaws in place and I urge the Board to stay the course, and deny the variances, this is not a hardship situation.

Many thanks for your time and efforts on this matter.

Sincerely,
Susan K Malcom
10 Winsor Road
Cataumet, MA 02534

linda carpenter [linda.carpenter4@comcast.net]

Sent: Monday, November 13, 2023 2:43 PM

To: Health

Please Distribute

To Members the Town of Bourne Board of Health

RE: 178-180 Scraggy Neck Road, at the end of Long Point, Cataumet

I, as a resident of Cataumet, wish to express my complete opposition to granting any of the eight variances requested by the current owner of this property. This is sensitive land, a special part of our Village, surrounded by salt marshes, wetlands, four salt ponds that are hydrologically connected to the site, and coastal banks. It is the home of much wildlife, such as egrets, blue herons and many of the turtles that we used to find here all the time when I was a child. To be sure foxes and coyotes roam the area.

There are already two very large scale houses on this property with all that goes with them. Now they want a third one to replace a 612-foot cottage, increasing its size by more than 700%, and adding to that a huge deck, a garage and a retaining wall plus a driveway and septic system. And to do this they want to bring in truckload after truckload of fill, 172 cubic yards, over the narrow streets in Cataumet, down an even narrower very long dirt road. And that would just be the beginning of the construction trucks. Also, they want to cut down a large number of full-grown healthy trees, so important to our health and welfare.

This makes no sense. There is new group of very people in town who have little regard for our Village and its natural treasures. We value open space and living alongside all of nature's creatures. We want to protect our wetlands, our salt ponds, our water supply and our harbors. We treasure what the Bourne Conservation Trust has done to preserve open space and protect our Town of Bourne from this type of development.

As I see it. The Town of Bourne has established Town By-laws and guidelines that support how the town wants to be run and developed. I can imagine at times, a variance may be granted in special circumstances. But eight all at once. What does that say? To me, it says that this project should not be approved. We are counting on you to do your job and deny these requests for variances.

Thank you for your time.

Linda Carpenter
32 Mystery Lane
Cataumet