

RECEIVED

By Bourne Health Department at 12:46 pm, Nov 15, 2023

Celia M. Echave
One Winsor Road
Cataumet, MA 02534

November 15, 2023

Board of Health Board Members
Bourne, MA

Dear Board of Health Board Members,

As a 28-year resident of Cataumet within walking distance to 176 Scraggy Neck Road, I have reviewed the latest and greatest plans for 176 Scraggy Neck Road and **URGE YOU TO VOTE NO** on the eight variances requested by the applicant.

The applicant has presented building plans for multiple years that violate citizen supported, and approved Town Bylaws that control over-development in our community. There has been push-back along the way by local residents whose investments in and commitment to the community were based on adherence to accepted bylaws and practices we hold dear, namely, the preservation of wetlands, marshes, coastal banks, and the associated natural wildlife that thrive in this sensitive environment.

Based on the submitted plans, the applicant demonstrates **NO RESPECT** for the law, the environment, or their neighbors, only self-interest to destroy nature in pursuit of financial gains when they sell what they're asking to develop (this will be a spec house). Please note they are currently attempting to sell their interest in Long Point peninsula (178 & 180 Scraggy Neck Road), and the Town of Bourne should **REJECT** any attempt by the applicant to overbuild on the remaining portion of their property.

If they were truly respectful of the law and committed to the preservation of the sensitive ecological environment in which we live, and if they were truly planning to live in their newly constructed home, they would submit plans that required no variances. The applicants have **ZERO** appreciation for what the local residents treasure, and I ask you **NOT to permit them to break laws and secure eight variances** in one of the most environmentally sensitive areas of Cataumet. It is your duty to uphold the law.

The aerial photo submitted by Maryfrances Galligan shows that the applicant's proposed development is surrounded by wetlands (the three coastal banks are not visible). There are four salt ponds that surround the site and are hydro geologically connected to the site. There's a vernal pool from which I have personally seen baby turtles make their way to the sea. It is not theoretical - the ecosystem is thriving as protections for nature have been enshrined in law.

Additionally, the applicant is requesting to raze an existing small seasonal cottage (approx. 600 sq. feet) to 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. **THIS IS A KEY POINT!**

The plans before the BOH are not the same plans that were approved by Conservation on September 26, 2022. The size and scale of the house has grown from a footprint of 4317 square feet, including garage and decks, to the new footprint plan of 4,880 square feet (dated Sept. 12, 2023). Please keep in mind there is also a second floor in the plans, adding to the total square footage of the house. **You cannot add square footage to your Conservation-approved plans and hope that no one notices!!** I ask you to visit the property and note the narrow dirt shared driveway, the salt marsh that runs along the right hand side, and the vernal pool on the left hand side. The heavily weighted trucks alone, for a total minimum 8000 square foot house on this sensitive site, will be devastating to the ecosystem.

You, as Board members, are the protectors of our salt marshes, our vernal ponds and our coastal banks. You must enforce the Bylaws that were put on the books by citizens and prior Boards to protect our wetlands. This new build will put all three of these wetland categories at risk, all for applicant self-interest. It is your responsibility to protect our sensitive environment, our water quality, our shellfish beds, our eel grass, and the wildlife that thrives on it all. **It is your duty to the community to uphold existing Bylaws and VOTE NO!**

Further, the hydrogeologic study commemorated in law in 1995, noted below, should be required of the applicant:

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.

Please consider the legal and environmental observations I've made as a close neighbor to the applicant and **VOTE NO to their request for ANY variances on their building plans.**

Sincerely,

Celia M. Echave

Stacey Burgess

From: Alice DeNormandie <adenormandie@gmail.com>
Sent: Wednesday, November 15, 2023 12:55 PM
To: Terri Guarino; Stacey Burgess
Subject: Fwd: Board of Health Meeting, Wednesday, November 15, 2023- 176 Scraggy Neck Road

There were a couple of typos in my earlier submission. Corrected below.
Thank you
Alice DeNormandie

----- Forwarded message -----

From: Alice DeNormandie <adenormandie@gmail.com>
Date: Wed, Nov 15, 2023 at 12:50 PM
Subject: Board of Health Meeting, Wednesday, November 15, 2023- 176 Scraggy Neck Road
To: TGuarino@townofbourne.com <TGuarino@townofbourne.com>, <sburgess@townofbourne.com>
Cc: Alice DeNormandie <adenormandie@gmail.com>, Kate McCarey <katemccarey@comcast.net>, Surendra Shah <svpshah@gmail.com>

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

I am writing this letter as a concerned resident of Cataumet and ask you to VOTE NO on the application for the construction of a 4 bedroom house at 176 Scraggy Neck Road, Cataumet, MA 02534.

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

Requesting 8 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 feet 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 By Laws - Pursuant to Chapter 111, Section 31 of Massachusetts General Laws, the Bourne Board of Health, at its regular meeting on 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:

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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 the construction of a site sensitive home. 8 variances are not necessary to build a house on this location.

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

Thank you.

Alice DeNormandie
121 Red Brook Harbor Road

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From: [Alice DeNormandie](#)
To: [Terri Guarino](#); [Stacey Burgess](#)
Cc: [Alice DeNormandie](#); [Kate McCarey](#); [Surendra Shah](#)
Subject: Board of Health Meeting, Wednesday, November 15, 2023- 176 Scraggy Neck Road
Date: Wednesday, November 15, 2023 12:49:58 PM

TO: Town of Bourne Board of Health Commissioners- Don Uitti, Barbara Princiotta, William "Dusty" Meier, Robert Collett, William "Bill" Doherty, Chair and Terri Guarion, Agent

I am writing this letter as a concerned resident of Cataumet and ask you to VOTE NO on the application for the construction of a 4 bedroom house at 176 Scraggy Neck Road, Cataumet, MA 02534.

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Bourne Board of Health*

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

Thank you.

Alice DeNormandie
121 Red Brook Harbor Road

Stacey Burgess

From: ph baybutt <phbaybutt@gmail.com>
Sent: Wednesday, November 15, 2023 7:23 AM
To: Health; Terri Guarino; Stacey Burgess
Subject: 178-180 Scraggy Neck Road. Please distribute to Board Members

Categories: BOH

To Members the Town of Bourne Board of Health

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

I am writing to ask that the Board deny the application for variances for the Long Point Property house build in Cataumet. I frequently go clamming with my wife in the Winsor Cove area and am very aware of the current cottage situated on the property that the owners plan to tear down and replace with a much larger home. This cottage is hidden by trees and looks out on a marsh where I have seen Osprey rest and Blue Heron feed. I have even seen deer and coyotes through the trees. To my eyes, this is a fragile yet thriving environment that is home to a variety of wildlife on land and water. . Why would a homeowner, or more importantly, the Town of Bourne want to intrude and disturb this ecosystem? Is an expansive 8 ,000 sq ft 4- bedroom house more necessary than a home for fish, grasses, birdlife, trees etc. ? Boy I hope not!

On a more practical note, the Zoning Regulations are in place to protect the land and wildlife. The homeowner is stating that 8 of those regulations are in the way of building the house. Because it is a new build, I am sure the house can be built in accordance with the existing regulations. It is also my understanding that to ask for variances there must be hardship. This is a 13 million dollar property and I would ask the Board to evaluate the hardship required for these variances.

I ask that the Board members make the choice to follow the existing Zoning Regulations and deny the eight variances for this new house build.

Thank you,
Philip Baybutt
2 Chauncy Way

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