

NOTICE OF INTENT

TOWN OF BOURNE CONSERVATION COMMISSION

39 PHILLIPS ROAD
SAGAMORE BEACH, MA
(BOURNE)

JANUARY 26, 2022

PREPARED FOR:

39 PHILLIPS ROAD, LLC
1413 WHIPPORWILL WAY
MOUNTAINSIDE, NJ 07092

PREPARED BY:



JC ENGINEERING, Inc.
Civil & Environmental Engineering
2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377—Fax 508-273-0367



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East Wareham, Massachusetts 02538
Ph. 508-273-0377 – Fax 508-273-0367*

January 26, 2022

Town of Bourne
Conservation Commission
24 Perry Avenue
Buzzards Bay, MA 02532

Re: Notice of Intent at 39 Phillips Road, Sagamore (Bourne), MA

Dear Gentlemen & Madams:

On behalf of the applicant, 39 Phillips Road, LLC, please find enclosed a Notice of Intent (NOI) of the Wetlands Protection Act, accompanied by supporting design drawing entitled “Proposed Coastal Dune Restoration” (Plan) located at 39 Phillips Road, Bourne, MA dated January 26, 2022 for your review and approval.

Project Narrative

This project involves the placement of sand nourishment on a sand and cobble Coastal Beach, and within Land Subject to Coastal Storm Flowage, Zone VE (el. 16.) for the purpose of replenishing a coastal dune. This project is also mapped within Estimated and Priority Habitat, but is not within an ACEC. The sand nourishment will be limited to the boundaries of the locus property and will not extend offsite into the coastal beach area currently owned by the Town of Bourne. This property was previously issued an Order of Conditions on July 29, 2013 for coastal dune restoration under DEP File No. SE7-1856 which included the placement of sand envelopes and well as sand nourishment for this property. At that time in 2013, this area of Sagamore Beach was also mapped within Estimated and Priority Habitat, therefore a determination letter from The Division of Fisheries and Wildlife was previously issued, dated October 17, 2013, and is attached at the end of this letter. The project completed under the former permit was completed and issued a Certificate of Compliance on November 7, 2019.

Since the completion of the past project, recent storm events during the past couple years has caused the coastal dune to erode back to its approximate location in 2013. As can be seen on the Plan, the profiles depict the surface elevation of the dune and beach as surveying in 2019, as well as the current surface of the dune and beach as of November 2021. This current application proposes the placement of sand to reestablish the dune to the location as shown on the asbuilt plan in 2019, which is approximately the maximum footprint allowed given the restraints of the property lines. Also, an existing set of timber steps and platform are to be reconstructed in the same footprint to allow for continued pedestrian access over the dune. Lastly, a sand fence previously existing on the property is to be repaired, as portions of the fencing have been damage. Only the very top of the sand fencing was visible in 2019, but is now mostly exposed.

The anticipated Dune Nourishment will be adjacent to or located within Land Subject to Coastal Storm Flowage, on a Coastal Dune, and on a Coastal Beach. These resource areas are further defined below:

Land Subject to Coastal Storm Flowage (LSCSF)

This resource area is defined in 310 CMR 10.04 as land subject to any inundation caused by coastal storms up to and including that cause by the 100-year storm, surge of record or storm of record, whichever is greater. As shown on the current Flood Insurance Rate Map, this portion of the coastal dune is situated within the FEMA Flood Zone VE(el. 16). The installation of the sand nourishment will be placed adjacent to the existing dune and on a coastal beach.

Although there are no performance standards within the Wetlands Protection Act, 310 CMR 10.00 (WPA), the sand nourishment has been designed to be in conformance with the Performance Standards of the Town of Bourne Wetlands Regulations (Local Regs). The installation of dune nourishment is intended to provide temporary flood protection while continuing to provide sediment to the adjacent coastal beach during storm events.

Coastal Dune

As defined in 310 CMR 10.28, coastal dunes are natural hills, mounds or ridges of sediment landward of a coastal beach. Dunes can also be sediment deposited by artificial means and serving the purpose of storm damage prevention or flood control.

The reconstructed dune will provide a temporary buffer to storm waters as well as provide sediment when it is eroded during coastal storm events. Upon the completion of the placement of sand, beach grass will be planted to help with stabilization of the dune and create additional nesting habitat. To satisfy the performance standards of the WPA, the proposed activities on the dune shall not have an adverse effect to the functions of the dune. This is being accomplished by limiting the dune restoration with beach compatible sand and planting with salt water tolerant native species. Also, the reconstructed stairway will continue to be elevated above the face of the dune to eliminate the erosion from foot traffic.

Coastal Beach

As defined by 310 CMR 10.27, a coastal beach means unconsolidated sediment subject to wave, tidal and coastal storm action which forms the gently sloping shore of a body of salt water and includes land flats. Any project on a coastal beach shall not have an adverse effect by increasing erosion, decreasing volume or changing the form of any such coastal beach of an adjacent or downdrift coastal beach. The coastal beach adjacent to the locus property consists mainly of sand and cobbles. No changes are proposed for the size, slope, and elevation of the existing stone and cobble beach. The placement of the sand for the dune restoration will be located on the coastal beach, but within the footprint of the previously restored coastal dune. The sediment contained within the coastal dune restoration will re-nourish the coastal beach during storm events that reach the base of the dune.



Taken 10/22/19



Taken 11/2/2021

Proposed Dune Restoration

The reconstructed dune would be approximately 150 linear feet long and constructed with an approximate slope of 1.5:1. The sand used for the dune will be compatible with the grain sizes of the existing beach material as it will be anticipated this dune will eventually supply sediment to the adjacent beach. The intent is to reconstruct the dune to the maximum extent practicable on the property without encroaching onto abutting lots or damaging any existing vegetation. The reconstructed dune will provide temporary flood protection during storm events and will help to minimize the erosion from extending closer to the dwelling. The dune as shown will require approximately 300 cubic yards of sand to be transported to the property. At the base of the clean sand fill, 2 rows of coir logs will be placed and anchored in place. The purpose of the coir logs is to provide temporary support of the toe before the vegetation is established. Beach grass is proposed to be planted in staggered rows along all faces of the dune after the placement of the sand. Due to existing vegetation landward of the top of dune and limited access from the street, all site work will take place from the beach. No construction vehicles are proposed to transport material from the upland side of the dune. As with the previous project, the construction will be limited to a time of year restriction that will be specified by NHESP.

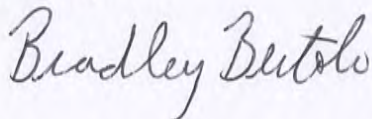
Access

Access to construct the dune restoration will be from an existing ramp located at the Standish Road Beach Parking Area. This ramp is situated about 580 feet northwest of the locus property. Construction equipment will traverse from the ramp and continue over the sand and cobble beach to gain access to the locus property. All equipment will be removed during any anticipated storm events. The access between the ramp and the revetment is to be restored upon completion of the construction.

In conclusion, we respectfully request a favorable vote for the proposed activities. We feel that the proposed construction and limit of work is consistent with the interests of the Plymouth Wetlands Protection Bylaw.

Thank you for your assistance on this project.

Sincerely,



Bradley M. Bertolo, E.I.T, C.S.E

Cc: DEP Lakeville
39 Phillips Road, LLC

Attachments



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

October 17, 2013

Bourne Conservation Commission
24 Perry Ave
Bourne, MA 02532

David Butler
14 Pendell Circle
Boylston, MA 01505

RE: Applicants: David Butler, Charles & Nancy Sweetman, Timothy Traub, Michelle Viotty, and Gerald Goveia & Brenda Bagnell

Project Location: 11 Phillips Road, (Assessors Map 4.4, Parcel 45;
Barnstable County Registry of Deeds, Book 26899, Page 202)
21 Phillips Road, (Assessors Map 4.4, Parcel 46;
Barnstable County Registry of Deeds, Book 21689, Page 33)
25 Phillips Road, (Assessors Map 4.4, Parcel 47;
Barnstable County Registry of Deeds, Book 25583, Page 45)
39 Phillips Road, (Assessors Map 4.4, Parcel 49;
Barnstable County Registry of Deeds, Book 25529, Page 92)
45 Phillips Road, Bourne (Assessors Map 4.4, Parcel 50;
Barnstable County Registry of Deeds, Book 26772, Page 308)

Project Description: Coastal Bank Stabilization using Coir Envelopes & Stone Revetment
DEP Wetlands File No.: 007-1855, 007-1856, 007-1857, 007-1859 & 007-1861
NHESP Tracking No.: 13-32395

Dear Commissioners & Applicants:

The applicants listed above submitted five (5) *Notices of Intent*, site plans (dated July 9, 2013) and other required materials to the Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife, in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37). Additional materials were submitted for review pursuant to the Massachusetts Endangered Species Act (MESA; M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00) (MESA).

The installation of the proposed coir envelope system and stone revetment along 675 linear feet of coastal bank/coastal dune will affect the available nesting habitat by reducing the amount of sediment within the system (down-drift beaches and dunes) available to nesting Least Terns (*Sternula antillarum*) and Piping Plovers (*Charadrius melodius*). These species are listed as "Special Concern" and "Threatened", respectively, in accordance with the MESA. The Piping Plover is also federally protected as a "Threatened" species pursuant to the U.S. Endangered Species Act (ESA, 50 CFR 17.11).

www.mass.gov

Division of Fisheries and Wildlife

Temporary Correspondence: 100 Hartwell Street, Suite 230, West Boylston, MA 01583

Permanent: Field Headquarters, North Drive, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

An Agency of the Department of Fish and Game

Based on a review of the information provided and the information contained in our database, the NHESP has determined that this project, as currently proposed, must be conditioned in order to avoid adverse effects to the Resource Area Habitats of state-listed wildlife species (310 CMR 10.37), and to avoid a prohibited "take" of state-listed species (321 CMR 10.18(2)(a)). The following conditions must be met:

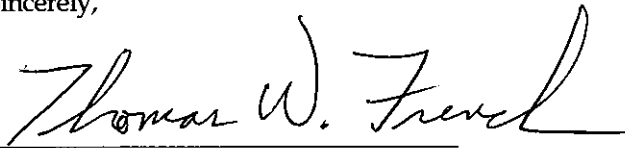
1. Prior to the start of Work, the Applicant shall record this letter in the Barnstable County Registry of Deeds so as to become a record part of the chain of title for each Property. Prior to the start of Work, the Applicant shall provide the NHESP with proof of said recordation within five (5) business days of recording.
2. No work may occur during April 1 - August 31 of any year.
3. Upon installation, the proposed coir envelopes shall be covered with sand as proposed. On an annual basis thereafter, the coir envelopes shall be monitored each Spring to determine the level of exposure and the volume of sand necessary to cover the envelopes shall be calculated. Said volume of sand shall be deposited on the coir envelopes outside of the bird nesting season (April 1 - August 31).
4. Upon completion of construction of the proposed stone revetment, 111 cubic yards of clean medium sand shall be placed as a 5-foot wide, 2.5-foot high foredune along the base of the revetment outside of the bird nesting season (April 1 - August 31).
5. Any proposed plantings of the foredune with beach grass (*Ammophila brevigulata*) must be done outside of the bird nesting season (April 1 - August 31).
6. Three years after the construction of the stone revetment, an assessment shall be conducted in the Spring to determine the dune/beach elevation at the base of the revetment. If at that time, the dune/beach elevation at the base of the revetment is at 5.4 NAVD or less (the "Trigger"), an additional nourishment of 111 cubic yards of sand will be necessary. Said sand must be placed either at the base of the revetment or at the town ramp approximately 200 feet to the north, outside of the bird nesting season (April 1 - August 31). Thereafter, the monitoring of the dune/beach elevation shall be conducted on an annual basis. For each year that the Trigger is met, 37 cubic yards of nourishment shall be required; however, the placement of the entire volume of sand need only occur on a three-year interval at either location described above.
7. At the end of each calendar year, a report documenting the nourishment assessment of both the coir envelopes and the stone revetment, and proof of deposition of required nourishment (e.g. photographs, invoices, etc.) shall be submitted to the NHESP.

Provided these conditions are included in any final approving Orders of Conditions and there are no changes to the project plans, this project will not result in an adverse impact to the Resource Area Habitats of state-listed wildlife species and will not result in a prohibited "take" of state-listed species. We ask that the Conservation Commission send a copy of the final Order of Conditions, approving or denying the project, to the NHESP simultaneous with the applicant. Upon filing for renewal, extension, or amendment of the Orders of Conditions, the applicant shall contact the NHESP for written response regarding impacts to Resource Area habitat of state-listed wildlife.

Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the NHESP pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project. We note that all work is subject to the anti-segmentation provisions (321 CMR 10.16) of the MESA. This determination is a final decision of the Division of Fisheries and Wildlife pursuant to 321 CMR 10.18.

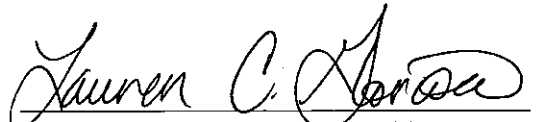
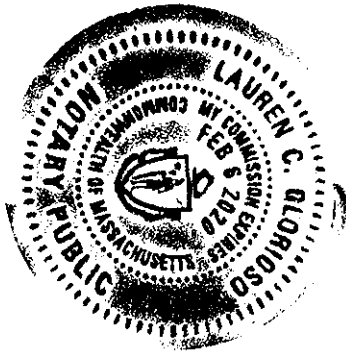
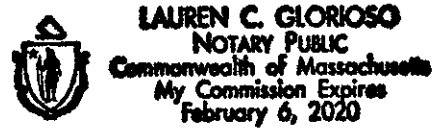
Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Eve Schlüter, Senior Endangered Species Review Biologist, at (508) 389-6346 or eve.schluter@state.ma.us.

Sincerely,



Thomas French, Ph.D.
Assistant Director
Massachusetts Division of Fisheries & Wildlife

On this 17th day of October, 2013, before me, the undersigned notary public, personally appeared Thomas W. French, Assistant Director, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.


Lauren C. Glorioso, Notary Public
My Commission expires: February 6, 2020

cc: Stanley Humphries
MA DEP SERO

Charles & Nancy Sweetman
11 Phillips Road
Bourne, MA 02562

Timothy Traub
PO Box 1187
Orleans, MA 02653

Michelle Viotty
467 W. 22nd Street, Apt. B
New York, NY 10011

Gerald Goveia & Brenda Bagnell
22 Flyaway Pond Drive
North Easton, MA 02356

39 PHILLIPS ROAD, BOURNE, MA (11/2/21)









Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

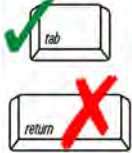
MassDEP File Number

Document Transaction Number

Bourne

City/Town

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>39 Phillips Road</u>	<u>Sagamore Beach (Bourne)</u>	<u>02562</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>41.79654 N</u>	<u>70.52456 W</u>	
d. Latitude	e. Longitude	
<u>4.4</u>	<u>49</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>39 Phillips Road, LLC</u>		<u>39 Phillips Road, LLC</u>
c. Organization		b. Last Name
<u>1413 Whipporwill Way</u>		
d. Street Address		
<u>Mountainside</u>	<u>NJ</u>	<u>07092</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

<u></u>		<u></u>
a. First Name		b. Last Name
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Bradley M.</u>	<u>Bertolo, EIT, CSE</u>	
a. First Name	b. Last Name	
<u>JC Engineering, Inc.</u>		
c. Company		
<u>2854 Cranberry Highway</u>		
d. Street Address		
<u>E. Wareham</u>	<u>MA</u>	<u>02538</u>
e.	f. State	g. Zip Code
<u>508-273-0377</u>	<u>508-273-0367</u>	<u>bbertolo@jceng.org</u>
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$500.00</u>	<u>\$237.50</u>	<u>\$262.50 + local fee</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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A. General Information (continued)

6. General Project Description:

Coastal Dune restoration

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Barnstable	
a. County	b. Certificate # (if registered land)
32418	182
c. Book	d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
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5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
 Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input checked="" type="checkbox"/> Coastal Dunes	<u>3,000</u>	<u>300</u>
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	<u>3,000</u>	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

online _____

b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area 13.2% / 3000 s.f.
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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C. Other Applicable Standards and Requirements (cont'd)

- (c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site

- (e) Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and
the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Bourne

City/Town

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Bourne
City/Town

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Coastal Dune Restoration at 39 Phillips Road

a. Plan Title

JC Engineering, Inc.

John L. Churchill, Jr., PE, PLS

b. Prepared By

c. Signed and Stamped by

January 26, 2022

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

9081

1/25/22

2. Municipal Check Number

3. Check date

9080

1/25/22

4. State Check Number

5. Check date

JC Engineering, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number
 Bourne

 City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

<p><u> <i>Mark Simnett</i> </u> 1. Signature of Applicant</p>	<p><u> 1/25/22 </u> 2. Date</p>
<p>3. Signature of Property Owner (if different) <u> <i>Bredley DeTola</i> </u> 5. Signature of Representative (if any)</p>	<p>4. Date <u> 1/26/22 </u> 6. Date</p>

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

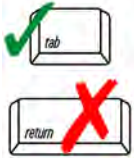
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

<u>39 Phillips Road</u>	<u>Sagamore Beach (Bourne)</u>
a. Street Address	b. City/Town
<u>9080</u>	<u>\$237.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>39 Phillips Road, LLC</u>	<u>Sagamore Beach (Bourne)</u>	
c. Organization	b. Last Name	
<u>1413 Whipporwill Way</u>		
d. Mailing Address		
<u>Mountainside</u>	<u>NJ</u>	<u>07092</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u></u>	<u></u>
a. First Name	b. Last Name
<u></u>	<u></u>
c. Organization	
<u></u>	
d. Mailing Address	
<u></u>	<u></u>
e. City/Town	f. State
<u></u>	<u></u>
g. Zip Code	
<u></u>	<u></u>
h. Phone Number	i. Fax Number
<u></u>	<u></u>
j. Email Address	

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Beach Nourishment	1	\$500.00	\$500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	<u>\$500.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	<u>\$262.50 + local fee</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

7020 2450 0001 6393 2277

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Westborough, MA 01581

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fees as appropriate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage Westborough, MA 01581

Natural Heritage and Endangered
Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

0571
4895-1
NO

Town of Bourne CONSERVATION COMMISSION Filing Fee Submittal Form

On January 6, 1993 the Conservation Commission adopted the following fee schedule for projects reviewed under the Town of Bourne Wetland and Natural Resource Protection Bylaw Article 3.7. The fee schedule was reviewed again on November 6, 2003 and revisions were implemented on July 1, 2004 and again on January 1, 2007 with the approval of the Bourne Conservation Commission and the Board of Selectmen.

All categories refer to G.L. Ch. 131 s. 40 filing fee schedule. **4/12/06**

CATEGORY 1. _____ X \$110.00 = _____
No. Category 1 Activities Total Category 1 Fee

CATEGORY 2. One (1) X \$500.00 = \$500.00
No. Category 2 Activities Total Category 2 Fee

CATEGORY 3. _____ X \$1,050.00 = _____
No. Category 3 Activities Total Category 3 Fee

CATEGORY 4. _____ X \$1,450.00 = _____
No. Category 4 Activities Total Category 4 Fee

CATEGORY 5. \$4.00 per linear foot with a \$100.00 minimum fee and a \$2000.00 maximum fee. (DOCKS)

_____ X \$4.00 = _____
Total Linear Feet Total Category 5 Fee

FOR NOTICES OF INTENT THERE IS A MINIMUM CHARGE OF \$125.00. ANY CALCULATION LESS THAN \$125.00 MUST PAY \$125.00, ANY CALCULATION PRODUCING A FIGURE GREATER THAN \$125.00 MUST PAY THE CALCULATED RATE.

CATEGORY 6 (ANRAD) \$2.00/LIN.FT. UP TO \$200 FOR SFH, NO MORE THAN \$2000 (ALL OTHER ACTIVITIES)

_____ X \$2.00 = _____

TOTAL LINEAR FEET

TOTAL CATEGORY 6 FEE

CATEGORY 7. \$50.00 per activity listed below.
Request for Emergency Certification - \$50.00

_____ X \$50.00 = _____
Total Category 7 Fee

No. Category 7 Activities

CATEGORY 8. \$75.00 per activity listed below.
Request for Determination - \$75.00
Request for Certificate of Compliance - \$75.00
Request for Extension Permit - \$75.00
Request for Amended Order of Conditions - \$75.00

_____ X \$75.00 = _____
No. Category 8 Activities Total Category 8 Fee

TOTAL FILING FEE SUBMITTED = \$500.00

Name Bradley M. Bertolo, EIT, CSE

Address 2854 Cranberry Highway, E. Wareham, MA 02538

Tel. 508-273-0377

Signature *Bradley Bertolo*

Date 1/26/22

Fees may be waived at the discretion of the Conservation Commission for non-profit or educational organizations or for those projects considered by the Commission to be an environmental improvement project. Extenuating circumstances or hardship the applicant may be experiencing may also be considered for reason to waive the filing fee.



Town of Bourne
CONSERVATION COMMISSION
24 Perry Avenue
Buzzards Bay, Massachusetts 02532

NOTICE OF INTENT FILING INFORMATION WORKSHEET

In order to expedite the processing of your Notice of Intent filing with the Bourne Conservation Commission, please complete this information sheet and submit it with your application.

1. Applicant Name: 39 Phillips Road, LLC
2. Applicant Address: 1413 Whipporwill Way, Mountainside, NJ 07092
3. Property Owner Name: Same
4. Property Owner Address: Same
5. Representative Name: JC Engineering, Inc.
6. Representative Address: 2854 Cranberry Highway, E. Wareham, MA 02538
7. Project Address: 39 Phillips Road
8. Project Map and Parcel Number: Map 4.4 Parcel 49
9. Book and Page # County Barnstable Book 32418 Page 182
10. Project Description: Coastal Dune Restoration

11. Is this project in an AE flood zone? Yes No
12. Is this project in a V flood zone? Yes No
13. Is this project within 100 feet of a wetland resource area? Yes No
14. Is this project within 200 feet of a riverfront? Yes No

15. Plan Title and Date: Proposed Coastal Dune Restoration
16. Plan signed and stamped by: John L. Churchill Jr., P.E., P.L.S.

17. Total Fee: (From Appendix B: Wetlands Fee Transmittal Form) \$ 262.50 + \$500.00 (local fee)

Town of Bourne
CONSERVATION COMMISSION

24 Perry Avenue
Buzzards Bay, Massachusetts 02532

Site Inspection Authorization

This form must be signed and dated by the property owner:

As the owner of the property which is the subject of this permit application, I grant to members and agents of the Bourne Conservation Commission the right to enter, inspect and sample the premises for the following:

1. To evaluate site conditions and verify information contained in the application prior to and during the hearing process.
2. To monitor the site during construction.
3. To verify compliance with the permit after the project's completion.

Nora Summit
Signature

1/25/22
Date

39 Phillips Road, Bourne, MA (Map 4.4, Parcel 49)

Address of Proposed Work (*include map and parcel*)

Commission Member Waiver Request

Bourne Conservation Commission
Town of Bourne
24 Perry Ave.
Buzzards Bay, MA 02532

Dear Commissioners:

The applicants and/or owners of the below referenced property hereby waive the right to require the same Commission members to be present at any and all continued hearings on this matter.

This is necessary for the Commission to allow a continuance to be granted to the project and is in conformance with the opinion of Town Counsel. Should a continuance be necessary the only alternatives are for the applicant to request a continuance to a future meeting when the same Commission members are present or to withdraw and re-file at a future time.

Nick Sommet

Applicant's or owner's signature

1/25/22
Date

Applicant's name: 39 Phillips Road, LLC (print)

Address: 1413 Whipporwill Way, Mountainside, NJ 07092

Telephone: 908.612.5692

Project Location: 39 Phillips Road

Town Map 4.4 Parcel 49 Lot _____

Project description: Coastal Dune Restoration

Notice of Intent Authorization Form

Please print in black or blue ink

I, Nicole Sinnott, the property owner of a parcel of land located at 39 Phillips Road, town assessor's map 4.4, parcel 49 am filing a Notice of Intent with the Bourne Conservation Commission.

I have authorized the following person(s) or firm(s) to act on my behalf and to represent me before the Commission during the public hearing review.

John L. Churchill Jr., PE, PLS _____

Bradley M. Bertolo, E.I.T. _____

Michael C. Pimentel, E.I.T. _____

I also certify to the Commission that I am in full compliance with Town of Bourne Bylaw section 3.11.2 "Right to Revoke or Suspend Licenses or Permits for Non-Payment of Taxes or Assessments", in that any "taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of section twenty-one D" have been paid.

Through my signature I attest that this instrument and its statements have been prepared honestly.

Signature Nicole Sinnott

Date 1/25/22

PrintName Nicole Sinnott

Signature of Notary Public _____

Date _____

Print Name of Notary Public _____

Affix Notary Public Stamp here>>>>>>>>>>

Notification of Abutter Massachusetts Wetlands Protection Act

**In accordance with the second paragraph of Massachusetts General Laws Chapter 131,
Section 40, you are hereby notified of the following:**

- A. The name of the applicant is 39 PHILLIPS ROAD, LLC
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Bourne seeking permission to remove, fill, dredge or alter an Area subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40). **THIS PROJECT INVOLVES THE RESTORATION OF A COASTAL DUNE.**
- C. The address of the lot where the Activity is proposed is 39 PHILLIPS ROAD, SAGAMORE BEACH, MA (ASSESSOR'S MAP 4.4, PARCEL 49).
- D. Copies of the Notice of Intent may be examined at the: Bourne Conservation Office, 24 Perry Ave., Buzzards Bay, MA 02532 between the hours of 8:30 am and 4:30 pm on the following days of the week: Monday through Friday.
For more information, call: (508) 759- 0600.

Check one: This is the applicant , representative , or other (specify):
Town of Bourne Conservation Office.

- E. Copies of the Notice of Intent may be obtained from either (check one) the applicant , or the applicant's representative , by calling this telephone number (508) 273-0377 between the hours of 8:00 a.m. and 5:00 pm on the following days of the week: Monday through Friday.
- F. Information regarding the date, time, and place of the public hearing may be obtained from Bourne Conservation Office, (Information same as above)

Note: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Bourne Courier

Note: Notice of the public hearing, including its date, time, and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: 508- 792- 7650

Northeast Region: 617- 935- 2160

Southeast Region: 508- 946- 2800

Western Region: 413- 784- 1100

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent)

I, Bradley Bertolo, hereby certify under the pains and penalties of perjury that on January 26, 2022, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the **DEP Guide to Abutter Notification** dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by 39 Phillips Road, LLC with the Town of Bourne Conservation Commission on January 26, 2022 for property located at 39 Phillips Road, Sagamore Beach.

The Notification of Abutter form and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of service.

Bradley Bertolo
Name

1/26/22
Date

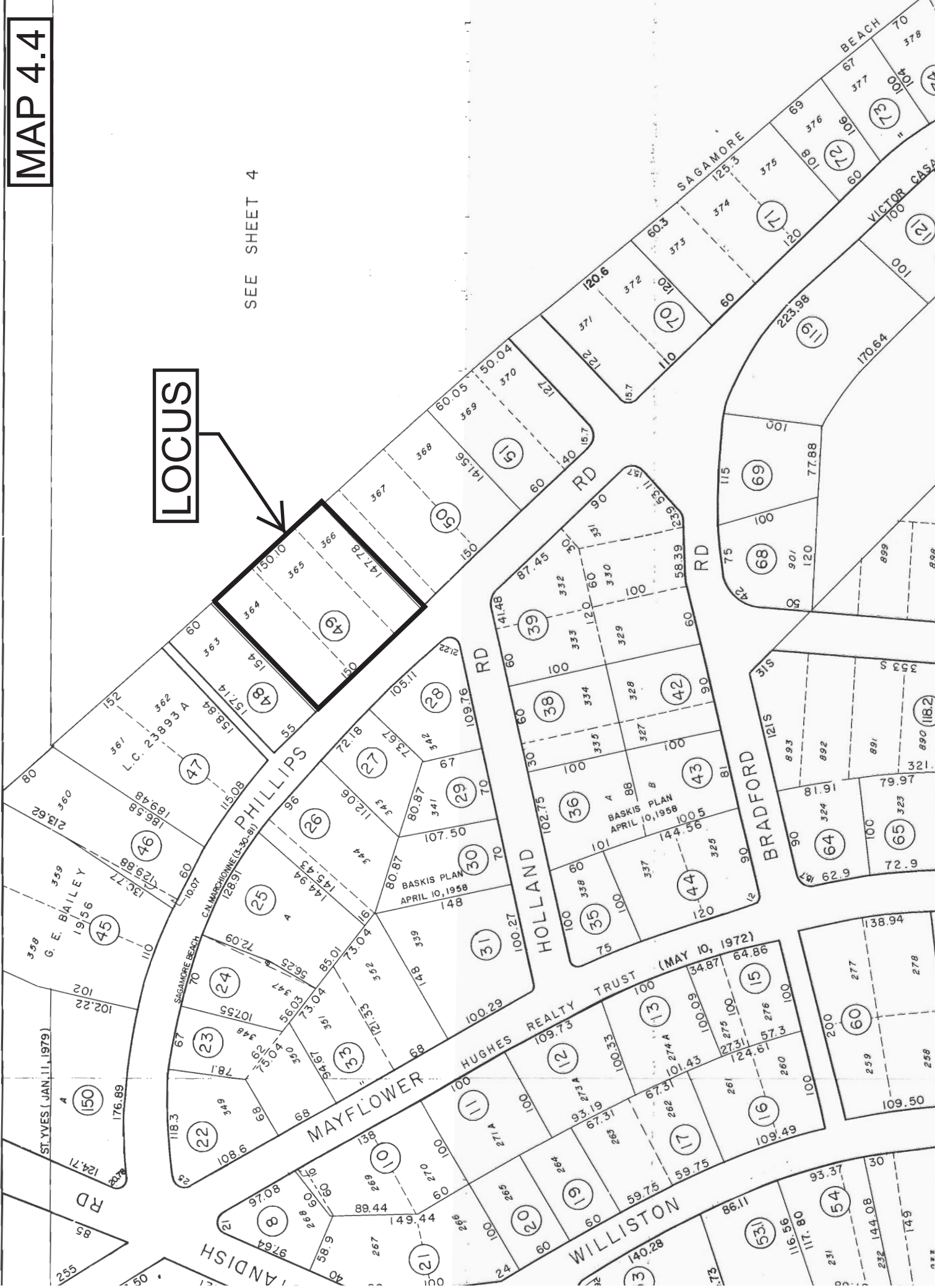
NOI ABUTTERS LIST
39 PHILLIPS ROAD, SAGAMORE BEACH
ALL ABUTTERS WITHIN 100'

MAP	PARCEL (S)	OWNER'S NAME & MAILING ADDRESS
4.0	14	Town of Bourne 24 Perry Avenue Buzzards Bay, MA 02532
4.4	26	Joseph J. Previte, Jr. Deborah Previte 172 Leavitt Street Hingham, MA 02043
4.4	27	Carol S. Mier, Life Estate P.O. Box 485 Sagamore Beach, MA 02562
4.4	28	James A. Hession Catherine Hession P.O. Box 1641 Sagamore Beach, MA 02562
4.4	39	Mary Jane Martis Christine M. Sysko 104 North Street Lexington, MA 02420
4.4	47	Timothy T. Traub & Janet L. McGregor, Trs. 7 Aunt Pollys Lane Orleans, MA 02653
4.4	48	Pearl J. Dalton ET ALS, Trs. 77 Adams Street, Unit 703 Quincy, MA 02169
4.4	50	Gerald L. Goveia & Brenda M. Bagnell, Trs. P.O. Box 735 Sagamore Beach, MA 02562

MAP 4.4

SEE SHEET 4

LOCUS



39 Phillips Road, Bourne



NHESP Priority Habitats of Rare Species



Areas of Critical Environmental Concern
ACECs



NHESP Estimated Habitats of Rare
Wildlife

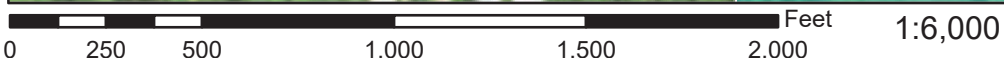
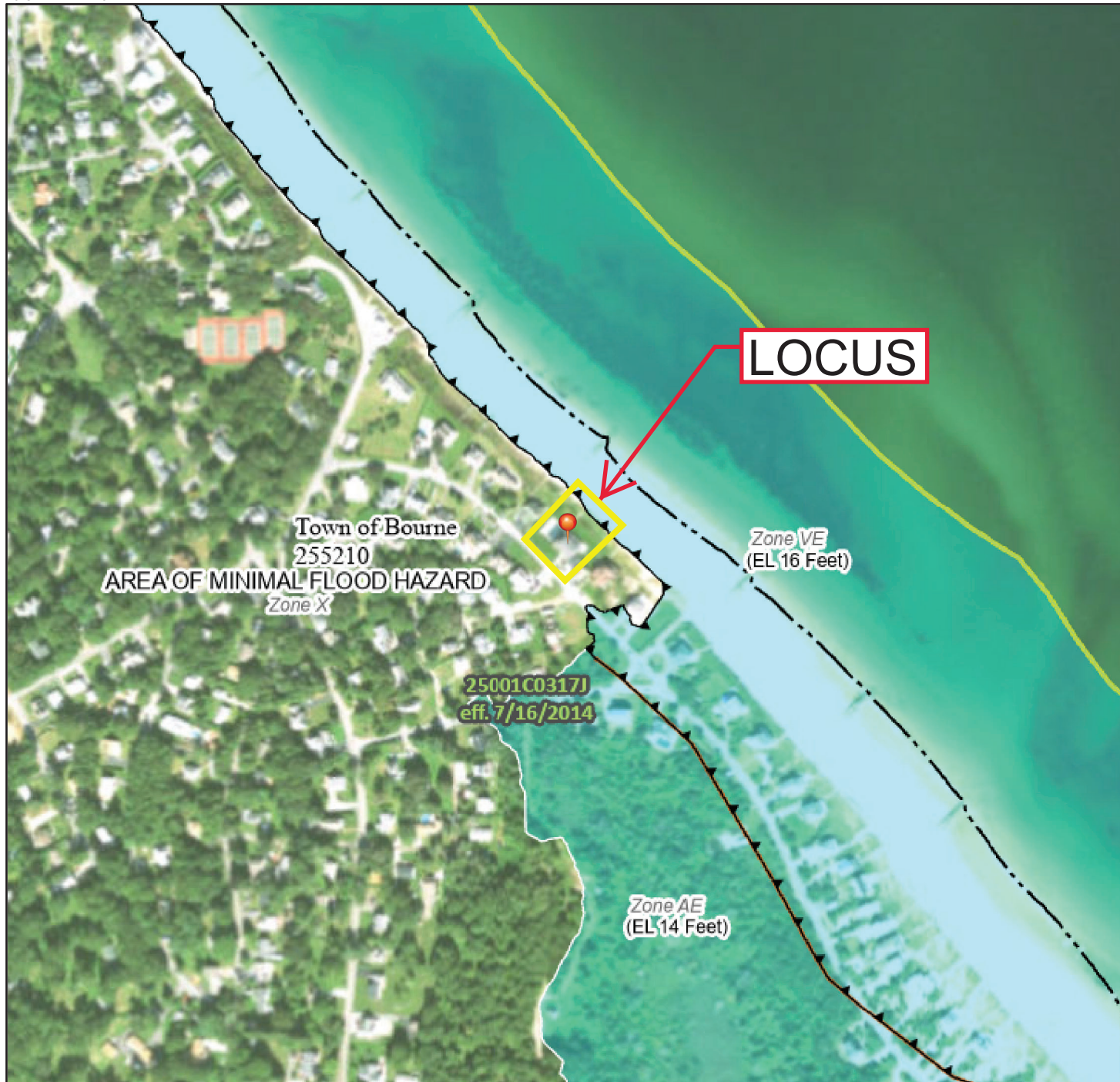


Property Tax Parcels

National Flood Hazard Layer FIRMMette



70°31'47"W 41°48'1"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/21/2022 at 2:30 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



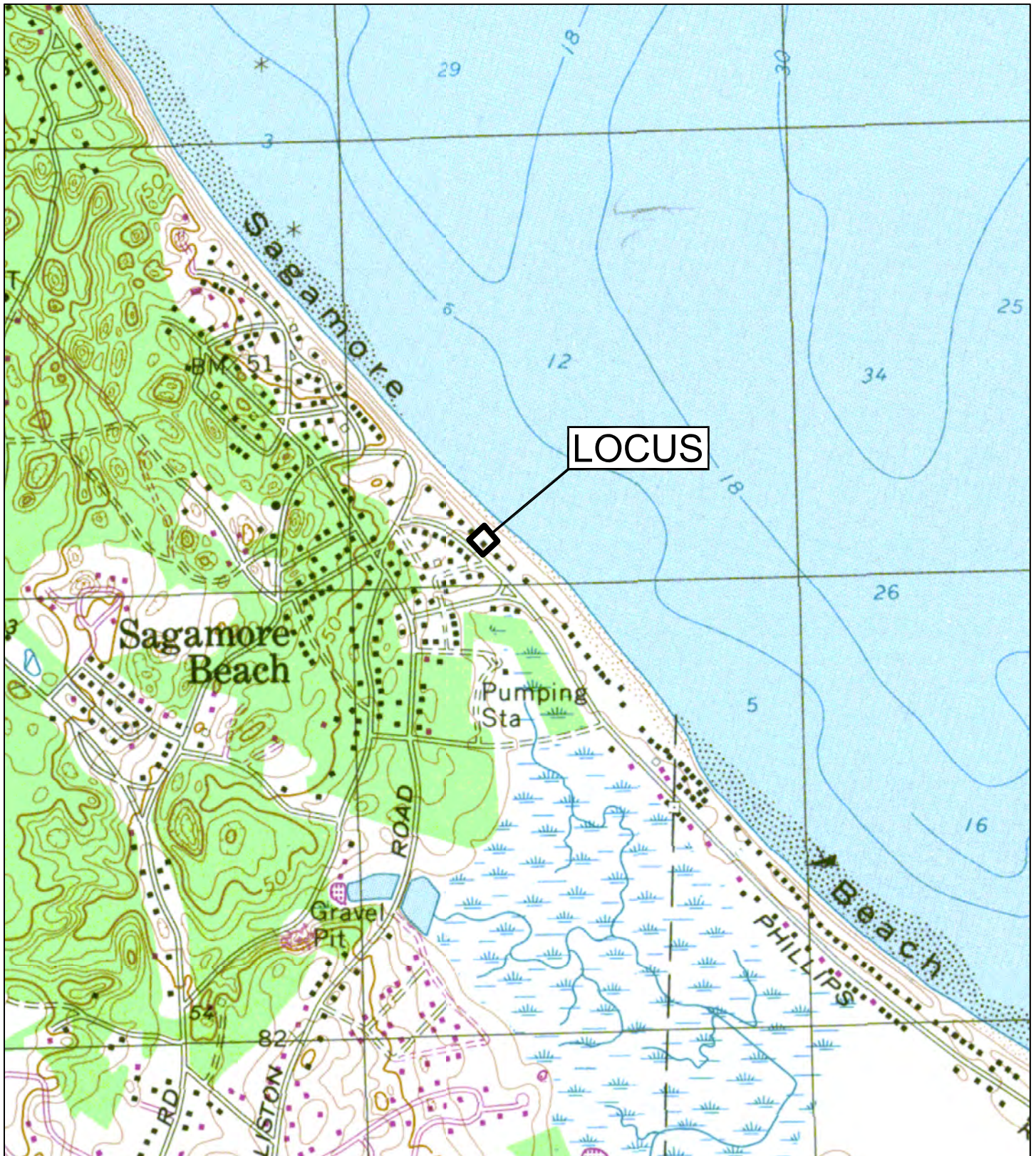
AERIAL MAP

39 PHILLIPS ROAD
SAGAMORE BEACH, MA 02532

SOURCE: 2019 MASSGIS AERIAL

SCALE: 1" = 100'

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538
(508) 273-0377



LOCUS MAP

39 PHILLIPS ROAD
SAGAMORE BEACH, MA 02532

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538
(508) 273-0377

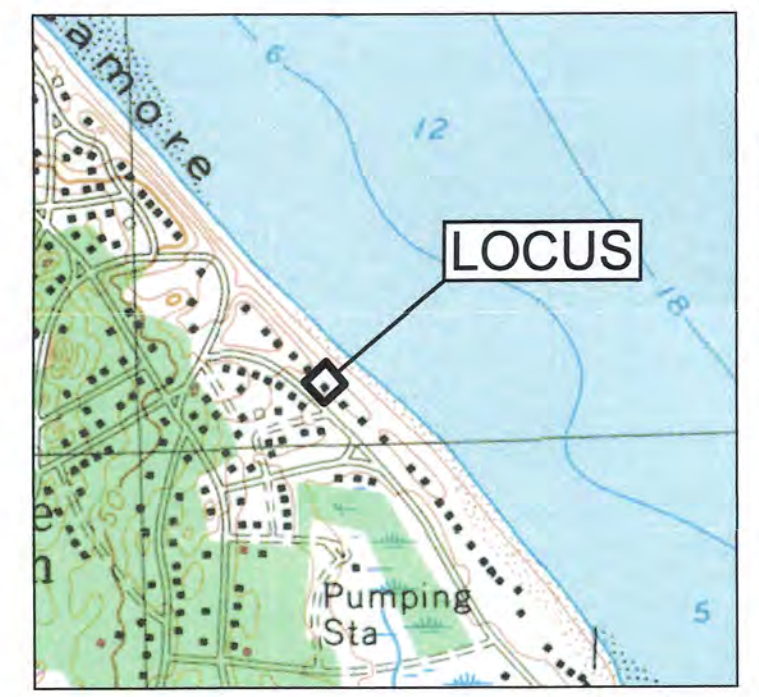
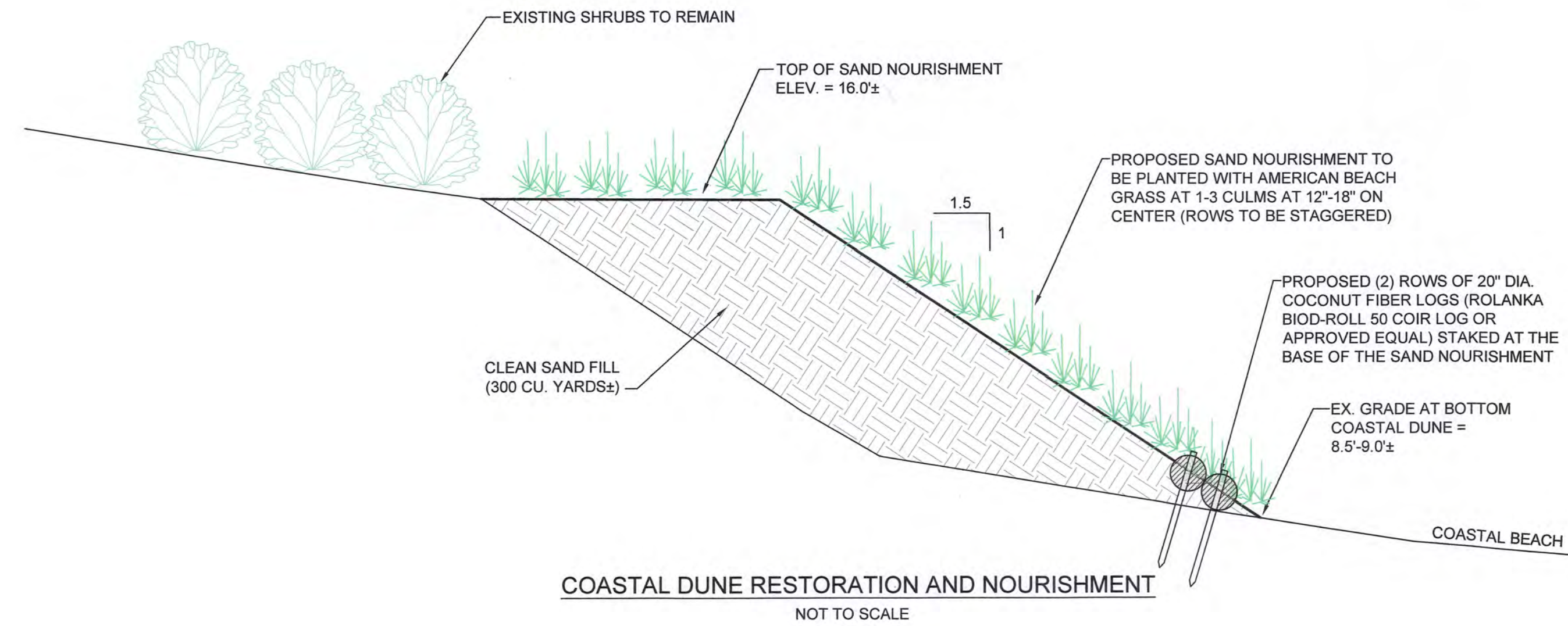
SCALE: 1" = 1000'

CONSTRUCTION NOTES:

- OWNER/APPLICANT IS RESPONSIBLE FOR OBTAINING PERMISSION TO CROSS OVER PRIVATE AND/OR PUBLIC PROPERTY WITH EQUIPMENT & MATERIALS, INCLUDING ACCESS ALONG THE EXISTING RAMP.
- PRIOR TO ANY CONSTRUCTION ACTIVITIES, STRAWBALES (IF NECESSARY) SHALL BE PLACED IN THE LOCATIONS AS DIRECTED BY THE CONSERVATION COMMISSION. STRAWBALES ARE TO REMAIN IN PLACE UNTIL DISTURBED AREAS ARE STABILIZED.
- CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION THROUGH DIG-SAFE AT LEAST 72 HOURS PRIOR TO COMMENCING WORK ON SITE AT 1-888-DIG-SAFE AND ANY OTHER APPLICABLE AGENCIES. REPORT ANY DISCREPANCIES TO THE DESIGN ENGINEER.
- CONTRACTOR SHALL NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES FOUND IN SITE CONDITIONS FROM THOSE SHOWN PRIOR TO COMMENCEMENT OF WORK.
- VEHICULAR ACCESS TO THE PROPERTY SHALL BE FROM THE RAMP AT THE STANDISH ROAD BEACH PARKING AREA (LOCATED APPROXIMATELY 580 FEET NORTHWEST OF THE LOCUS PROPERTY). UPON COMPLETION OF THE DUNE NOURISHMENT, THE CONTRACTOR SHALL RESTORE THE BEACH ACCESS FROM THE PROJECT LOCATION TO THE RAMP.
- CONSTRUCTION SHALL BE IN CONFORMANCE WITH DETERMINATION LETTER TO BE ISSUED BY NHESP. NO WORK SHALL TAKE PLACE ON THE BEACH OR DUNE BETWEEN APRIL 1ST AND AUGUST 31ST OF ANY YEAR.
- CONTRACTOR TO ENSURE THAT RECONSTRUCTED SAND FENCE MAINTAINS A 50:50 RATIO OF OPEN SPACE TO VERTICAL MEMBER WIDTH. PROPOSED FENCE MATERIAL TO MATCH EXISTING FENCING MATERIAL (2x3 VERTICAL AND 2x4 HORIZONTAL MEMBERS).

VEGETATIVE MAINTENANCE AND RESTORATION PLAN:

- THE ACTIVE EROSION ALONG THE COASTAL DUNE TO BE FILLED WITH CLEAN SAND. SAND USED FOR THE NOURISHMENT SHALL BE SIMILAR TO THE GRAIN SIZE ANALYSIS OF THE NATIVE BEACH SAND. CONTRACTOR TO SUBMIT GRAIN SIZE ANALYSIS OF SAND TO BE USED FOR COBBLE BERM TO THE ENGINEER AND CONSERVATION AGENT PRIOR TO PLACEMENT.
- UPON COMPLETION OF FILLING AND GRADING ALONG THE DUNE, THE SAND NOURISHMENT SHALL BE STABILIZED WITH COIR LOGS, AND VARIOUS GRASSES AND SHRUBS.
- THE PROPOSED NOURISHMENT TO BE CONSTRUCTED AS SHOWN ON THE DETAIL PROVIDED ON THIS SHEET.
- SUITABLE GRASSES AND SHRUBBERY TO BE PLANTED ALONG THE FACE AND TOP OF DUNE WITHIN THE ACTIVE EROSION AREAS SHALL INCLUDE, BUT IS NOT LIMITED TO, BEARBERRY, NORTHERN BAYBERRY, BEACH PLUM, COMMON JUNIPER, SWITCHGRASS, AND AMERICAN BEACH GRASS. SHRUBBERY TO BE PLANTED AT 5 FEET O.C. IN STAGGERED ROWS. BEACH GRASSES SHALL BE PLANTED WITH 2-3 CULMS PER HOLE, SPACED 12"-18" APART. CONTRACTOR TO CONTACT TOWN OF BOURNE CONSERVATION DEPARTMENT IF OTHER VARIETIES OF SHRUBS ARE TO BE USED.

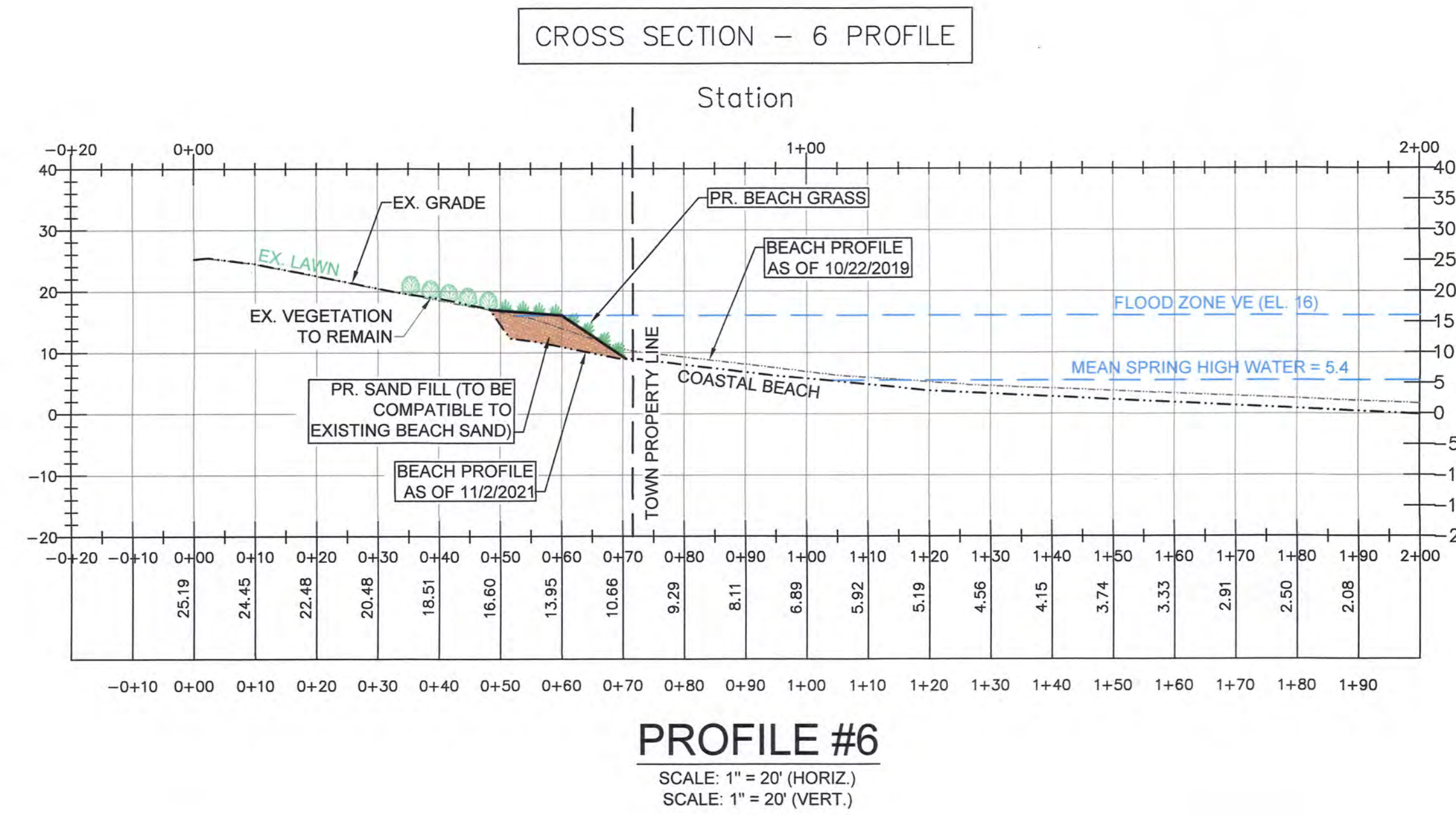
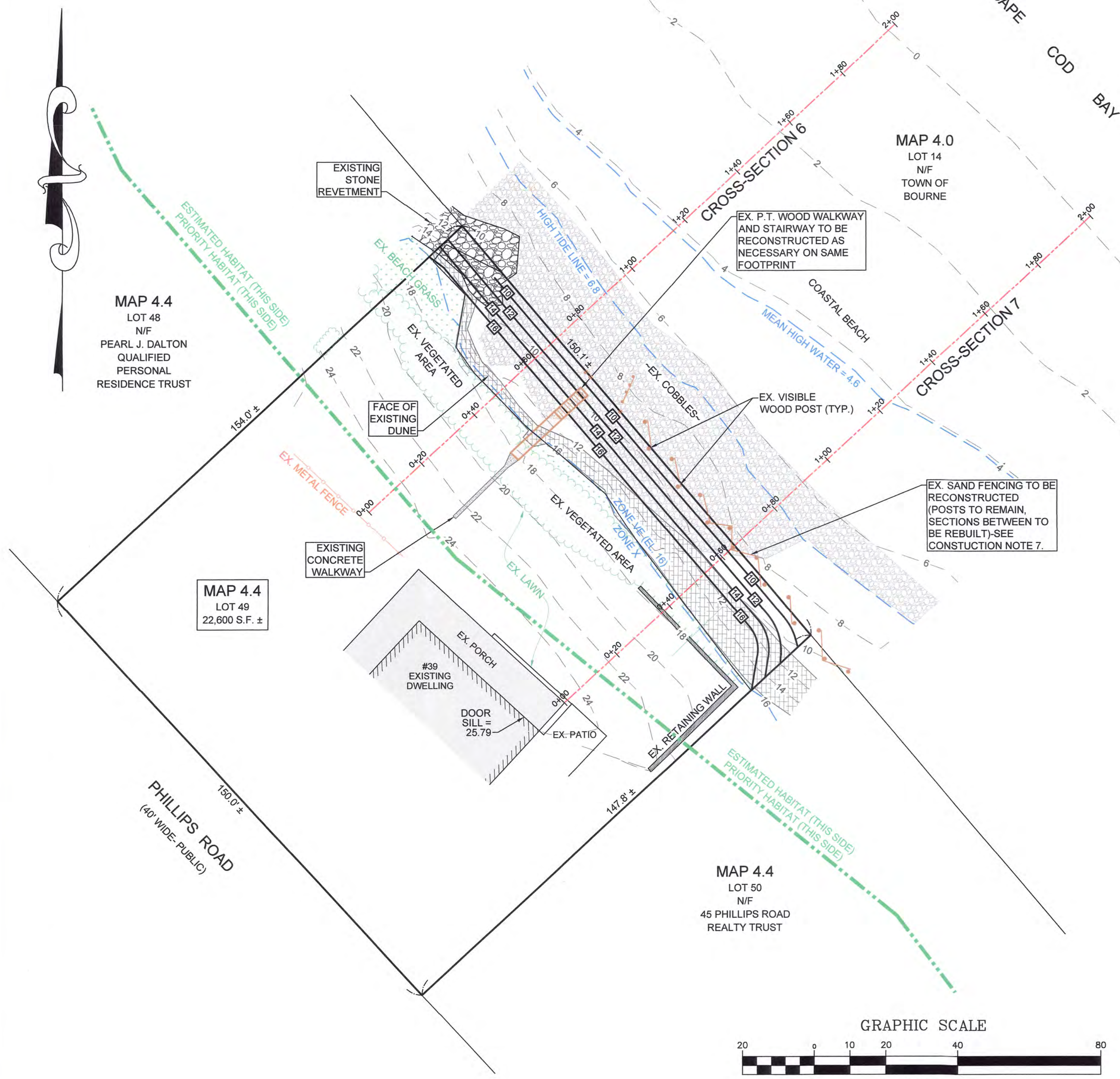


LOCUS PLAN

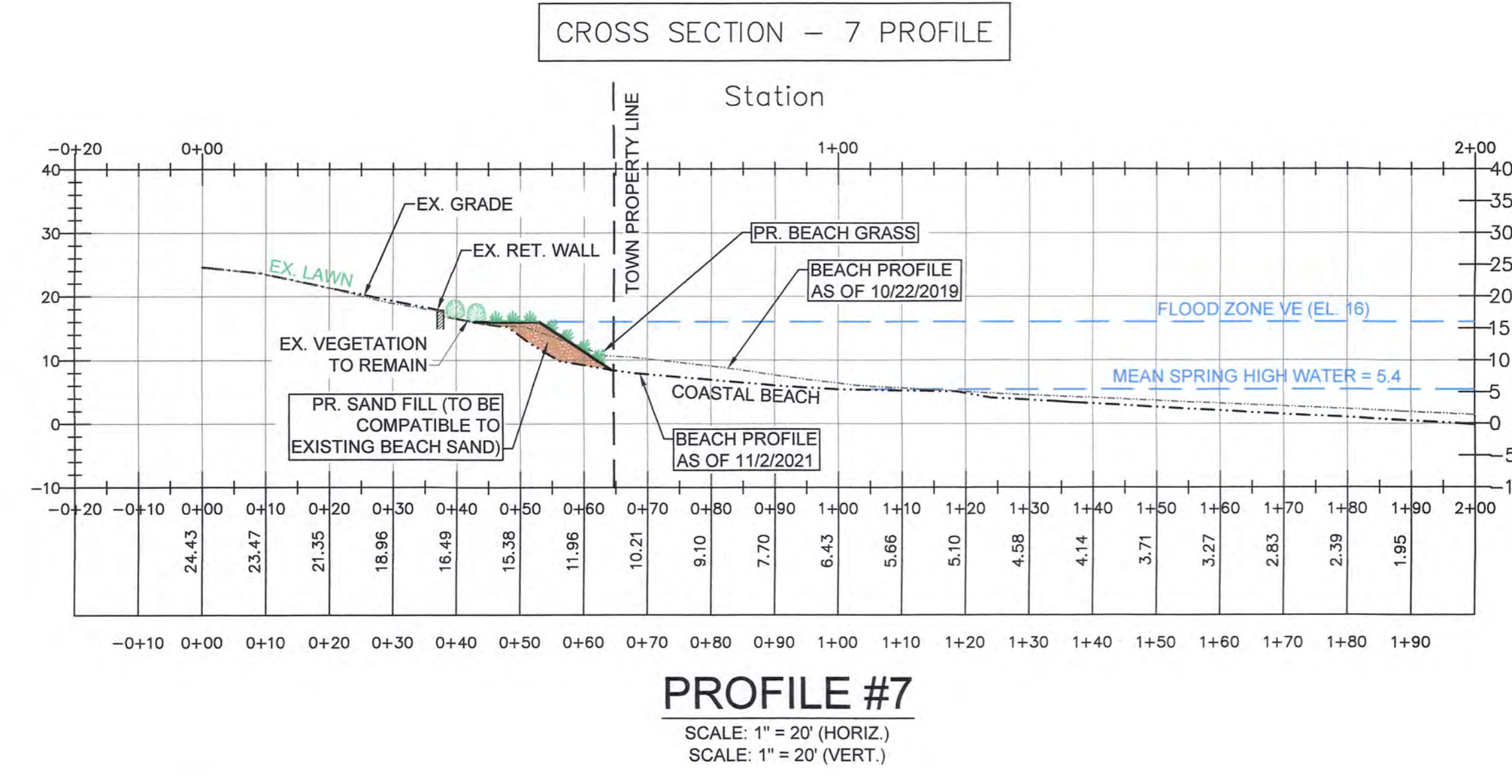
SCALE: 1" = 1000'

NOTES:

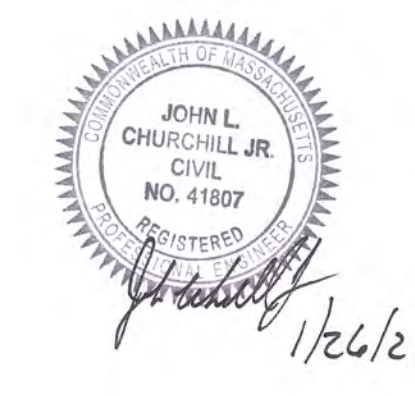
- LOCUS IS SHOWN AS LOT 49 ON BOURNE ASSESSOR'S MAP 4.4
- OWNER OF RECORD:
39 PHILLIPS ROAD, LLC
1413 WHIPPORWILL WAY
MOUNTAINSIDE, NJ 07092
DEED BOOK 32418, PAGE 182
- PLAN REFERENCE:
PLAN BOOK 15, PAGE 87
- THIS PLAN DEPICTS THE EXISTING CONDITIONS BASED UPON AN INSTRUMENT SURVEY PERFORMED ON NOVEMBER 2, 2021.
- CONTOURS BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)
- THIS PROPERTY WAS PREVIOUSLY ISSUED AN ORDER OF CONDITIONS ON JULY 29, 2013 FOR COASTAL DUNE RESTORATION UNDER DEP FILE NO. SE7-1856. A CERTIFICATE OF COMPLIANCE WAS ISSUED ON NOVEMBER 7, 2019 TO CLOSE OUT THE PREVIOUS PROJECT.
- CROSS-SECTIONS DEPICTED HEREON REPRESENT THE APPROXIMATE LOCATION OF CROSS-SECTIONS DEPICTED ON A PLAN ENTITLED "SITE PLANS FOR 39 PHILLIPS ROAD CONSTRUCTION PROJECT, DATED JULY 9, 2013, PREPARED BY ATLANTIC DESIGN ENGINEERS, INC AND PERMITTED UNDER DEP FILE NO. SE7-1856.
- ELEVATIONS OF MEAN HIGH WATER AND MEAN SPRING HIGH WATER OBTAINED FROM ABOVE MENTIONED PLAN PREPARED BY ATLANTIC DESIGN ENGINEERS, INC.
- FLOOD ZONE DATA OBTAINED FROM FLOOD INSURANCE RATE MAP 25001C0317J, DATED JULY 16, 2014
- THIS PROPERTY IS LOCATED WITHIN NHESP PRIORITY AND ESTIMATED HABITATS AS DEPICTED ON THE 15TH ED. NATURAL HERITAGE ATLAS, EFFECTIVE 8/1/2021.



PROFILE #6
SCALE: 1" = 20' (HORIZ.)
SCALE: 1" = 20' (VERT.)



PROFILE #7
SCALE: 1" = 20' (HORIZ.)
SCALE: 1" = 20' (VERT.)



PROPOSED COASTAL DUNE RESTORATION
AT
39 PHILLIPS ROAD
BOURNE, MA

PREPARED FOR:
39 PHILLIPS ROAD, LLC

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538