



**AMENDED**

**CONSERVATION COMMISSION  
MEETING NOTICE  
AGENDA AUGUST 18th, 2022**

RECEIVED  
2022 AUG 16 PM 2:33  
TOWN CLERK BOURNE

Date:  
Thursday  
August 18, 2022

Time:  
7:00PM

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

**Request for Determination**

- 1) **Applicant:** Christopher Codeanne File Number: **CC22-26**  
**Representative:** Same  
**Project Address:** 0 Circuit Ave, Bourne  
**Proposed Project:** Vista pruning of vegetation in upper border of salt marsh. This project is in the V flood zone and within 100 ft. of a wetland resource area. **Continued from 08/04/2022.**
  
- 2) **Applicant:** Sharon & Michael Donatelle File Number: **CC22-27**  
**Representative:** Meredith Avery  
**Project Address:** 169 Tahanto Road, Pocasset  
**Proposed Project:** Construction of a 10' X 12' screened in porch, the removal of a tree and the construction of a 10' X 20' deck. Located within an AE flood zone and 100 ft. of a wetland resource area.
  
- 3) **Applicant:** Don Duberger File Number: **CC22-28**  
**Representative:** J.E. Landers- Cauley, P.E.  
**Project Address:** 39 Salt Marsh Lane, Bourne  
**Proposed Project:** Proposed raze and rebuild of a single family dwelling, driveway and appurtenances. This project is in an AE flood zone only.

**Notice of Intent**

- 1) **Applicant:** Patrick D. Curran DEP File Number: **SE7-2214**  
**Representative:** Falmouth Engineering, Inc.  
**Project Address:** 104 Rocky Point Road, Bourne  
**Proposed Project:** Proposed construction of a detached garage and upgrade to the existing substandard septic system. This project is within 100 ft. of wetland resource areas and within an AE flood zone and a V flood zone.
  
- 2) **Applicant:** Jonathan Levitt DEP File Number: **SE7-**  
**Representative:** J.E. Landers-Cauley, P.E.  
**Project Address:** 128 Emmons Road, Monument Beach  
**Proposed Project:** Proposed project includes the removal and replacement of deck, stairs and porch on the north side of the house, a remodel of existing garage into living space, an addition of a new 2-car garage, and the replacement of the existing septic tank with a 6-bedroom I/A system. Proposed work will take place within 100' of a coastal bank.



- 3) **Applicant:** Linda Kokoszka **DEP File Number:** SE7-2213  
**Representative:** JC Engineering, Inc.  
**Project Address:** 77 Puritan Road, Buzzards Bay  
**Proposed Project:** The tear down and rebuild of a single family dwelling, septic system, and associated utilities in the buffer zone of a coastal bank and salt marsh. This project is located within 100 ft. of a wetland resource area. **Continued from 8/04/22.**

- 4) **Applicant:** The Long Point Trust **DEP File Number:** SE7-2208  
**Representative:** Brian T. Madden, LEC Environmental  
**Project Address:** 176 Scraggy Neck Road, Cataumet  
**Proposed Project:** Proposed demo of existing dwelling and construction a new dwelling with associated appurtenances, including a new driveway, attached garage, decks, upgraded septic system, utilities, regrading, storm water management, lawn/landscaping, and restoration/mitigation plantings. This project is located in an AE flood zone and within 100 ft. of a wetland resource area. **Continued from 08/04/2022.**

#### **Request for Certificate of Compliance**

- 1) **Applicant:** Jonathan Marni Levitt **DEP File Number:** SE7-1924  
**Representative:** J.E. Landers-Cauleu, P.E.  
**Project Address:** 128 Emmons Road, Monument Beach  
**Project:** Certificate of compliance requested for order of conditions issued on 09/08/2015. The proposed work included land management and restoration project within 100 ft. of a wetland resource area.

- 2) **Applicant:** Robert A. & Sally Herbst **DEP File Number:** SE7-2158  
**Representative:** N/A  
**Project Address:** 50 Lewis Point Road, Buzzards Bay  
**Project:** Certificate of compliance requested for order of conditions issued on 8/03/2021. Construction of a 4' wide wood stairway from top of coastal bank to the base of the slope and coastal beach. Within AE flood zone and 100 ft. of a wetland resource area.

#### **Request to Extend Order of Conditions**

- 1) **Applicant:** Joesph Botti Company **DEP File Number:** SE7-2011  
**Representative:** Farland Corp.  
**Project Address:** 819 Head of the Bay Road (Lot 1), Buzzards Bay  
**Proposed Project:** Proposed to raze and rebuild the existing dwelling utilizing the existing foundation, with a proposed attached garage and upgraded septic system. Within 100 ft. of a wetland resource area.



## Procedural

**Confirmatory vote for the action taken on the following dates:**

### 10-21-2021

#### **Certificate of compliance**

- 1) Applicant: Kathrine Burke DEP File Number: SE7-2073  
Representative: Falmouth Engineering, Inc.  
Project Address: 219 Scraggy Neck Road, Pocasset  
Proposed Project: House renovations, including construction of a second story on a portion of the house, construction of a screened porch, and re-construction of decks.  
**Motion made by Mr. Palumbo and seconded by Mr. Szwed to grant the Certificate of Compliance. Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. Certificate of Compliance granted. 4-0-0.**
  
- 2) Confirmatory vote on previous meeting minutes: 09/02/21, 09/16/21, and 10/07/21  
**Motion moved by Mr. Berman, and seconded by Mr. Szwed to approve minutes for September 2, 2021. Mr. Berman yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.**  
  
**Motion moved by Mr. Berman, with condition that two suggested corrections be made to the minutes, motion seconded by Mr. Szwed to approve the meeting minutes for September 16<sup>th</sup>, 2021. Mr. Berman yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.**  
  
**Motion moved by Mr. Berman, and seconded by Mr. Palumbo to approve the meeting minutes for October 7<sup>th</sup>, 2021. Mr. Berman yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.**
  
- 3) Enforcement at 81 Phillips Road, Sagamore Beach- **Mr. Berman yes, Mr. Palumbo yes, Mr. Szwed yes, Chm. Gray yes. Motion carried. 4-0-0.**

### 11-04-2021

#### **Request for Determination**

- 1) Applicant: Kimberly Morneau File Number: CC21-22  
Representative: Falmouth Engineering, Inc.  
Project Address: 268 Shore Road, Bourne  
Proposed Project: Construct new screened porch, rebuild and expand existing deck, access stairs.  
Continued from 10/21/2021.  
**Motion made by Mr. Ligor, and seconded by Ms. Leduc-Fleming to approve under a Negative Two Determination. Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, Chm. Gray yes. Motion carries 4-0-0 under a Negative Two Determination.**



**Certificate of Compliance**

- 2) Applicant: William and Rosemary Dalton DEP File Number: SE7- 1858  
Representative: N/A  
Project Address: 140 Eel Pond Road, Monument Beach  
Proposed Project: Remove & Reconstruct a Single Family Dwelling.  
**Motion made by Mr. Ligor and seconded by Ms. Leduc-Fleming to accept the parcel. Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, Chm. Gray yes.**  
**Motion carries 4-0-0.**
- 3) 1. Vote to accept the ISWM deed conveyance language. 2. Vote to accept the ISWM parcel as open space under the protections noted.
1. **Motion made by Ms. Leduc-Fleming and seconded by Mr. Ligor to accept the deed conveyance language.**  
**Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, and Chm. Gray yes.**  
**Motion carried. 4-0-0.**
2. **Motion made by Mr. Ligor and seconded by Ms. Leduc-Fleming to accept the parcel. Mr. Ligor yes, Mr. Berman yes, Ms. Leduc-Fleming yes, Chm. Gray yes.**  
**Motion carried. 4-0-0.**

**01-06-2022**

- 1) Confirmatory vote on previous meeting minutes: 11/18/21 and 12/02/21.  
November 18, 2021-**Motion made by Mr. Ligor, and seconded by Mr. Berman to approve meeting minutes. Motion carries 4-0-0. Minutes approved.**

December 2, 2021-**Motion made by Mr. Ligor, and seconded by Mr. Berman to approve meeting minutes. Motion carries 4-0-0. Minutes approved.**

**05-19-2022**

**Notice of Intent**

- 1) Applicant: Mitchell Mashnee Realty Trust DEP File Number: SE7-2203  
Representative: Holmes & McGrath  
Project Address: 60 Rope Walk, Bourne  
Proposed Project: Proposed project includes the demolition of the existing house and the construction and maintenance of a single-family house with attached garage, deck, relocated septic tank, reconfigured driveway, generator, walkway, retaining wall and all associated excavation, grading and landscaping. This project is an AE flood zone. Continued from 5/5/2022.  
**Motion made by Mr. Holmes and seconded Mr. Szwed to move to the draft -all in favor.**  
*All general conditions and special conditions pursuant to 131 40 include: 1, 2, 3, 4, 5, 7, 9, 10, 12, 16, 19, 27, 28, 29. Special conditions pursuant to Bourne bylaw article 3.7 include: 5, 6, 7, 9*  
Motion made by Peter and seconded Paul to close to hearing. **Motion carried 4-0-0.**  
**Motion made by Peter and seconded Paul to close to hearing. Motion carried 4-0-0.**



2) Applicant: John Williamson

DEP File Number: SE7-2204

Representative: JC Engineering, Inc.

Project Address: 1 Kerna Drive, Buzzards Bay

Proposed Project: Proposed demolition of an existing house and the construction of a new 4 bedroom dwelling with associated utilities, septic system, site grading and hand removal of invasive vines & vegetation. This project is within 100 ft. of a wetland resource area, an AE flood zone and V flood zone. Continued from 5/5/2022.

**Motion made by Mr. Holmes and seconded by Mr. Szwed to move to the draft- all in favor. All general conditions and special conditions pursuant to 131 40 include: 1, 2, 3, 5, 7, 9, 10, 14, 18, 19, 27, 28, 29. Special conditions pursuant to Bourne bylaw article 3.7 include: 5, 6, 7, 9** ASC-1) Aside from the coastal bank, the resource areas delineated on the site plan have not been confirmed by a wetland scientist and should not be considered accurate for future proposed projects. ASC-2) A monitoring plan to ensure the vegetation continues to thrive under all elevated stairways is required. A COC will not be issued if erosion due to channelized flow is evident. **Motion made by Peter and seconded by Paul to close to hearing. Motion carried 4-0-0.**

3) April 21, 2022 Approved with corrections.

May 05, 2022 Approved with corrections.

**Motion made by Mr. Holmes and seconded by Mr. Szwed. Motion carried 4-0-0.**

- ▶ Vote to excuse absent members.
- ▶ Approve minutes July 21<sup>st</sup> 2022 & August 4<sup>th</sup> 2022.
- ▶ Report of the Conservation Commission.