

Board of Selectmen Meeting Notice AGENDA



Date
Tuesday
February 20, 2018

Time
7:00 P.M.

Location
Bourne High School Library/
Media Center
75 Waterhouse Road
Bourne

Note this meeting is being televised and recorded. If anyone in the audience is recording or video-taping, they need to acknowledge such at this time.

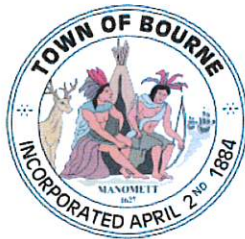
All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.

7:00 P.M. Call public session to order in Open Session

1. Moment of Silence for our Troops and our public safety personnel
2. Salute to our Flag
3. Public Comment on Non-Agenda Items
4. Correspondence
5. **Licenses/Appointments**
 - a. Appointments – 3 applicants to fill 2 vacancies on the Private Road Acceptance Committee [Thomas Barnes; Shawn Goulet and Paula McConnell]
6. **Selectmen's Business**
 - a. FY 19 Budget Review and action
 - b. Scope for Rules of Procedures Review on 2/27/2018
 - c. Establish a committee to recommend options for the town addressing applications eligible to be filed with the Cannabis Control Commission, beginning April 1, 2018. This is pursuant to the Marijuana establishment law, as amended by the Massachusetts Legislature.
 - d. Board of Selectmen goals
7. **Selectmen's Reports**
 - a. Events attended past week
 - b. Events anticipated to attend current week
8. **Town Administrator Report**
 - a. ATA Recruitment
9. **Future Agenda**
 - a. Massachusetts Maritime Academy to give formal update to the Board of Selectmen meeting and to answer questions – February
 - b. Stop and Shop Rotary and Clay Pond Road update
 - c. Board of Selectmen discussion on term limits
 - d. Cable TV Contract – opt out and renewal preliminary discussion
 - e. A member of the legislative delegation to give BOS an update on situation regarding Comcast (this would most likely be Representative Hunt)
 - f. Appoint Election Workers

10. **Adjourn**

RECEIVED
2018 FEB 15 PM 3:39
TOWN CLERK BOURNE



Selectmen's Correspondence
February 20, 2018

- A. Thank you card from Carole Ellis
- B. Letter from Kraus & Hummel regarding Pocasset Community – manufacturing housing community
- C. Notice from Department of Agricultural Resources regarding MDAR Apiary Program
- D. Department of Agriculture Resources submitted notice for public hearings for Vegetation Management Plan
- E. Department of Environmental Protection received waterways application by Steven and Nancy Candela to amend License #13869 to expand the existing pier and ramp and relocate the existing float at 41 Harbor Drive, Pocasset
- F. Elder Services will be holding their 16th Annual March for Meals on Wednesday, **March 21, 2018** and will be honored if the Town Administrator or his designee could participate. **RSVP by February 28, 2018.**
- G. Comcast submitted copy of Form 500 for 2017
- H. Buzzards Bay Coalition received the Draft Buzzards Bay Wastewater Treatment Facility Permit #974-0
- I. Buzzards Bay Coalition submitted letter regarding Wastewater Planning in the Town of Bourne
- J. Letter from The Nature Conservancy regarding letter requesting waiver of EIR for ENF filed on February 7, 2018. Town of Bourne/The Nature Conservancy, Little Buttermilk Bay, Oyster Habitat Restoration [Copy on file in the Town Administrator's Office]

A



Thank you very
much for the gift
card. It is a
pleasure working with
all of you.

Carole

KRAUS & HUMMEL LLP

99A COURT STREET
PLYMOUTH, MASSACHUSETTS 02360

(508) 747-4200
(508) 747-0788 FAX
www.kraushummel.com

B

RECEIVED

FEB 12 2018

TOWN OF BOURNE
BOARD OF SELECTMEN

February 9, 2018

Via Regular Mail to All Departments

Town of Bourne

24 Perry Avenue
Buzzards Bay, MA 02532-3441

Attention:

Town Clerk
Chief, Bourne Police Department
Chief, Bourne Fire Department
Board of Health
Planning Department
Board of Selectmen
Animal Control Department

Re: Pocasset Community- manufacturing housing community

Dear Sirs/Madam:

This office represents the legal interests of the Charles W. Austin Trust, the owner of the real estate upon which the Pocasset Community – manufactured housing community (the "Park") is located. As you know since 2011, the Park has been under the jurisdiction and control of Charles Sabatt, Esq., the court-appointed temporary receiver.

The Court has found that the objectives and tasks assigned to the receiver have been completed, that is, the installation of a septic system, connections of that septic system to the sites in the Park and the re-doing of the roads within the Park. An order terminating the temporary receivership was signed by the Court and docketed yesterday, February 8, 2018.

Effective as of February 9, 2018, the Trust, in the person of its Trustee, Phil Austin, will manage the Park consistent with Massachusetts laws and regulations.

If you should have any questions or concerns, please do not hesitate to contact me or Phil directly, at 508 563 3666.

We look forward to working together with all departments in order to insure the proper functioning of the Park for the benefit of the residents, the Town and owner/operator. Thank you in anticipation of your cooperation.

Sincerely,


Robert Kraus

RK/k

cc: Client

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

RECEIVED

FEB 12 2018

C



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

TO: Municipal Chief Executive Officers and Boards of Health

FROM: Taryn LaScola, Director, Division of Crop and Pest Services

REGARDING: MDAR Apiary Program

DATE: February 8, 2018

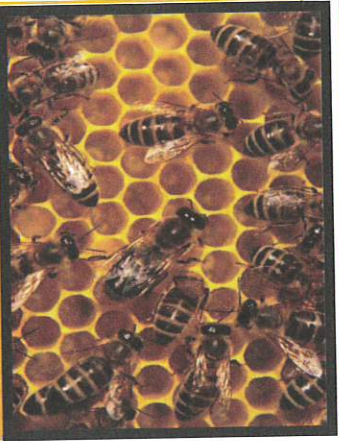
The Massachusetts Department of Agricultural Resources (“Department”) Division of Crop and Pest Services manages the state Apiary Program (“Program”). The Program promotes and sustains apiculture in the Commonwealth by providing support to honey beekeepers, pesticide applicators, farmers, land managers, educators, regulators and government officials. The Program is comprised of a team of highly trained and knowledgeable staff consisting of a Chief Inspector and full-time seasonal inspectors located throughout the state. In addition, the Program is also charged with carrying out and enforcing the apiary laws and regulations found at M.G.L.c. 128 sections 32-38 and 330 CMR 8.00.

Due to the increased popularity of honey beekeeping and the rising number of beekeepers, the Department would like to inform municipalities that it is available to offer guidance and assistance in the following ways:

- Educational outreach to town officials
- Information on honey bee biology
- Information on existing state laws and regulations
- Information on best management practices for honey beekeeping
- Information on the Apiary Program’s services
- Providing the Massachusetts Pollinator Protection Plan

Honey bee health in the country and in Massachusetts is in decline, represented most noticeably by the high annual losses of colonies. A vast majority of agriculture in the Commonwealth and our local food supply relies on honey bees for pollination. The Department supports the efforts of commercial and hobby honey beekeeping within the Commonwealth. The Department also understands that residents and municipalities often have questions and concerns about honey beekeeping activities. Given this, the Department is available to provide municipal government support and assistance.

Please review the attached Apiary Program brochure and also visit our website for additional information: <https://www.mass.gov/apiary-program-honey-bees>. If questions or concerns arise, please contact the Department for additional support.



Come Visit A State Apiary!

Are you interested in learning more about honey bees?

If so, join the Apiary Program team for a **Hive Dive** educational program featuring a tour of a live working colony and discussions with bee experts at one of MDAR's two State Apiary locations: Amherst, MA and Danvers, MA. Visit the Apiary Program website to get more information about where the programs are held: <http://www.mass.gov/eea/agency/s/agr/farm-products/apiary/>



Get Listed as a Local Honey Producer!

Want to purchase local honey?

Visit the MassGrown map to search your area and find a list of local beekeepers that produce and sell honey:

<http://www.mass.gov/agr/massgrow/n/honey.htm>

Are you a MA beekeeper that produces and sells honey to the public? If so, get listed as a honey producer for free on the MassGrown map:

www.mass.gov/eea/agencies/agr/markets/1-mktg-farm-survey.doc



Contact Us:

Apiary Program
Message Line: 617-626-1801
Chief Apiary Inspector
101 University Dr, Suite C-4
Amherst, MA 01002
email: kim.skyrm@state.ma.us
office: 413-548-1905
cell: 857-319-1020
fax: 413-548-1901



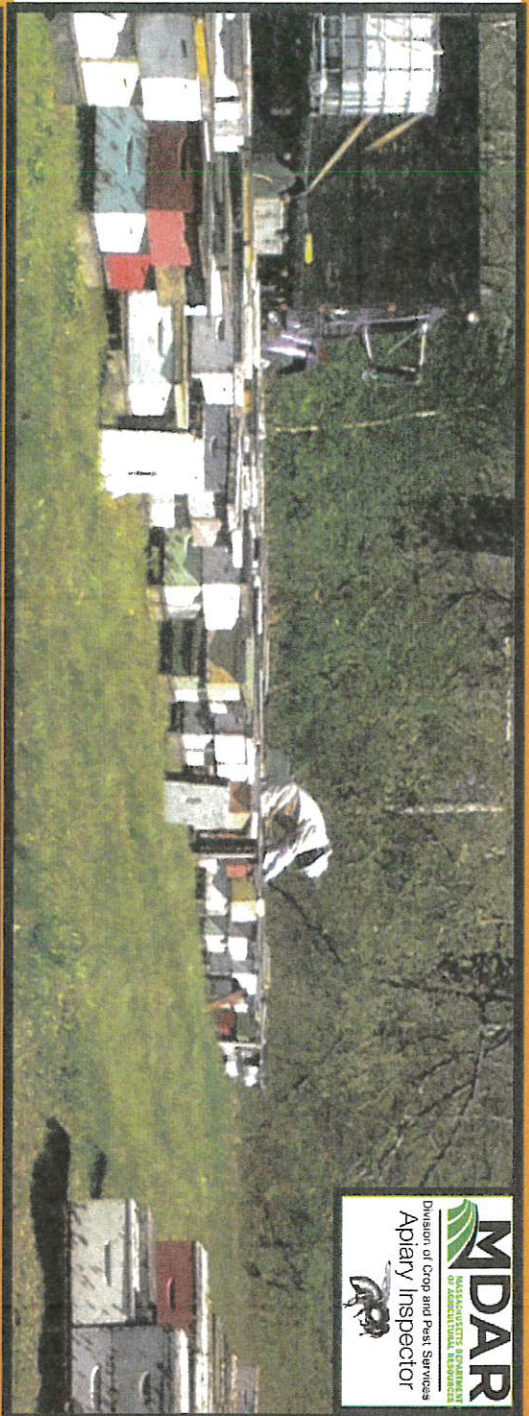
MDAR
MASSACHUSETTS DEPARTMENT
OF AGRICULTURAL RESOURCES

Division of Crop and Pest Services

Apiary Program



Supporting
Massachusetts'
Apiculture One
Hive At A Time!



“Ensuring the health of honey bees in the Commonwealth”



MDAR’s Apiary Program has been established to promote and sustain apiculture in the Commonwealth by providing support to honey beekeepers, pesticide applicators, farmers, land managers, educators, students, regulators, academia, government officials and the public. The Program is comprised of a team of highly trained and knowledgeable staff consisting of a Chief Apiary Inspector and full-time Seasonal Inspectors located throughout the state to service the needs of stakeholders and their honey bees.

Inspectors Perform the Following Services:

- ❖ Inspect, sample and monitor honey bees (*Apis mellifera*) and hive equipment for pest, parasites and pathogens.
- ❖ Register apiaries and colonies for beekeepers.
- ❖ Prevent establishment of new pests, parasites, pathogens, and Africanized honey bees (*Apis mellifera scutellata*) through imported bees and hive equipment.
- ❖ Investigate suspected honey bee kills from pesticides and pathogen spillover from American Foulbrood (*Paenibacillus larvae*).
- ❖ Provide technical assistance, continuing education, and outreach to all audiences on topics related to honey bee biology, health, colony management, and pollination.
- ❖ Issue permits for interstate movement of honey bees and hive equipment.
- ❖ Promote honey beekeepers and the local beekeeping industry through marketing of Massachusetts-produced honey and hive products.
- ❖ Communicate with local, regional and national audiences to stay current on trends in honey bee health, management techniques and treatment options.

FAQ

How many honey beekeepers and hives do we have in MA?

There is a large and diverse beekeeping population as current estimates indicate that we have 4-4,500 active beekeepers managing 40-45,000 hives.

How many MA crops rely on honey bees for pollination?

Over 45% of MA agricultural commodities rely on honey bees for crop pollination.

How do I request a hive inspection?

Submit a completed inspection Request form online to MDAR: <http://www.mass.gov/eea/agencies/agr/farm-products/apiary/mdar-apiary-inspection-request-form.html>

Who should I contact if I suspect my honey bees were killed by pesticides?

Contact the Chief Apiary Inspector immediately so that the issue can be promptly investigated.

Who should I contact if I found a nest of honey bees?

Contact your local county bee association to find a list of beekeepers in your area to remove the bees.

THE COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

RECEIVED
 FEB 12 2018



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
 617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
 Governor

KARYN E. POLITO
 Lt. Governor

MATTHEW A. BEATON
 Secretary

JOHN LEBEAUX
 Commissioner

NOTICE: PUBLIC HEARINGS FOR VEGETATION MANAGEMENT PLAN

Pursuant to the Rights-of-Way Management Regulations (333 CMR 11.00) in order to apply pesticides to control vegetation to maintain Rights-of Ways, the Department of Agricultural Resources must approve a Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP). The VMP is intended to justify the need to control vegetation, identify target vegetation, describe the intended methods of control, describe methods for identifying sensitive areas, describe operational guidelines for applicators, outline a program of Integrated Pest Management (IPM) designed to reduce the use of herbicides, and describe alternative land use activities.

The following municipalities are advised that Eversource Energy, Eastern MA proposes to utilize herbicides to treat their Rights-of-Way on Cape Cod and Martha's Vineyard:

MUNICIPALITIES		
BARNSTABLE	EDGARTOWN	SANDWICH
BOURNE	FALMOUTH	TISBURY
BREWSTER	HARWICH	TRURO
CHATHAM	MASHPEE	WELLFLEET
DENNIS	OAK BLUFFS	YARMOUTH
EASTHAM	ORLEANS	

PUBLIC HEARINGS SCHEDULED:

In accordance with 333 CMR 11.05 the Department of Agricultural Resources will conduct regional hearings to receive public comment on the proposed Vegetation Management Plan for the Eversource Energy, Eastern MA as submitted by Eversource Energy.

To provide all interested parties an opportunity to comment on the proposed VMP, public hearings will be held at the following locations:

Thursday, March 1, 2018: Sandwich Town Hall Auditorium, 136 Main Street, Sandwich, MA from 11:00am – 12:30pm

Available for Public Review Prior to Hearings:

Section 11.05 (3)(d) of the Row Management Regulations provide: "At least 21 days prior to the end of the public comment period, the applicant shall send a copy of the proposed VMP to the chief elected official, the Board of Health, and the Conservation Commission in affected communities upon their request." Such request should be made to:

William Hayes, Senior Arborist
 Eversource Energy, Eastern MA
 Vegetation Management
 247 Station Drive, SE-370
 Westwood, MA 02090-9230
 781-441- 3932 (office)

The proposed VMP is posted at <http://www.mass.gov/eea/agencies/agr/pesticides/vegetation-management-and-yearly-operation-plans.html> and <https://www.eversource.com/content/ema-c/about/about-us/doing-business-with-us/municipal-officials/transmission-vegetation-management> for reviewing. It is also available for review at the Reference Desk of the following public libraries:

Jonathan Bourne Library, 19 Sandwich Road, Bourne, Massachusetts

Written Comments Requested

The public hearings listed above will give interested parties the opportunity to present data, views or arguments, orally or in writing concerning the proposed VMP. Persons giving testimony are also requested to provide written comments. Written comments in advance of the hearing dates are welcome. The Department will accept written testimony concerning the Eversource Energy, Eastern MA VMP until the close of business: Friday, March 2, 2018
Commentary should be sent to:

Rights-of-Way Program
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500 Boston,
Massachusetts 02114-2151

Comments period closes end of business: Monday, March 2, 2018

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

NOTICE: PUBLIC HEARINGS FOR VEGETATION MANAGEMENT PLAN

Pursuant to the Rights-of-Way Management Regulations (333 CMR 11.00) in order to apply pesticides to control vegetation to maintain Rights-of Ways, the Department of Agricultural Resources must approve a Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP). The VMP is intended to justify the need to control vegetation, identify target vegetation, describe the intended methods of control, describe methods for identifying sensitive areas, describe operational guidelines for applicators, outline a program of Integrated Pest Management (IPM) designed to reduce the use of herbicides, and describe alternative land use activities.

The following municipalities are advised that Eversource Energy, proposes to utilize herbicides to treat their Rights-of-Way on Cape Cod and Martha's Vineyard:

MUNICIPALITIES		
BARNSTABLE	EDGARTOWN	SANDWICH
BOURNE	FALMOUTH	TISBURY
BREWSTER	HARWICH	TRURO
CHATHAM	MASHPEE	WELLFLEET
DENNIS	OAK BLUFFS	YARMOUTH
EASTHAM	ORLEANS	

PUBLIC HEARINGS SCHEDULED:

In accordance with 333 CMR 11.05 the Department of Agricultural Resources will conduct regional hearings to receive public comment on the proposed Vegetation Management Plan for the Eversource Energy, Cape Cod and Islands as submitted by Eversource Energy.

To provide all interested parties an opportunity to comment on the proposed VMP, public hearing will be held at the following location:

Tuesday March 6, 2018:

Chatham Town Office Annex
Lower Level
261 George Ryder Road
Chatham, MA

Public Hearing: 11-12:30
Outreach: 12:30-2

Available for Public Review Prior to Hearings:

Section 11.05 (3)(d) of the Row Management Regulations provide: "At least 21 days prior to the end of the public comment period, the applicant shall send a copy of the proposed VMP to the chief elected official, the Board of

Health, and the Conservation Commission in affected communities upon their request.” Such request should be made to:

William Hayes, Senior Arborist
Eversource Energy, Eastern MA
Vegetation Management
247 Station Drive, SE-370
Westwood, MA 02090-9230
781-441- 3932 (office)

The proposed VMP is posted at <http://www.mass.gov/eea/agencies/agr/pesticides/vegetation-management-and-yearly-operation-plans.html> and <https://www.eversource.com/content/ema-c/about/about-us/doing-business-with-us/municipal-officials/transmission-vegetation-management> for reviewing. It is also available for review at the Reference Desk of the following public libraries:

Jonathan Bourne Library, 19 Sandwich Road, Bourne, Massachusetts

Written Comments Requested

The public hearings listed above will give interested parties the opportunity to present data, views or arguments, orally or in writing concerning the proposed VMP. Persons giving testimony are also requested to provide written comments. Written comments in advance of the hearing dates are welcome. The Department will accept written testimony concerning the Eversource Energy, Cape Cod and Islands VMP until the close of business: Friday, March 16, 2018

Commentary should be sent to:

Rights-of -Way Program
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500 Boston,
Massachusetts 02114-2151

Comments period closes end of business: Friday, March 16, 2018

RECEIVED
FEB 12 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

E

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application Pursuant to M. G. L. Chapter 91
Waterways License Application Number W18-5172
Steven and Nancy Candela**

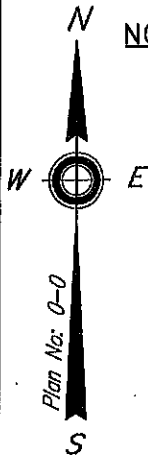
NOTIFICATION DATE: February 20, 2018

Public notice is hereby given of the waterways application by Steven and Nancy Candela to amend License No. 13869 to expand the existing pier and ramp and relocate the existing float at 41 Harbor Drive, in the municipality of Bourne, in and over flowed tidelands of Pocasset Harbor. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the ten residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

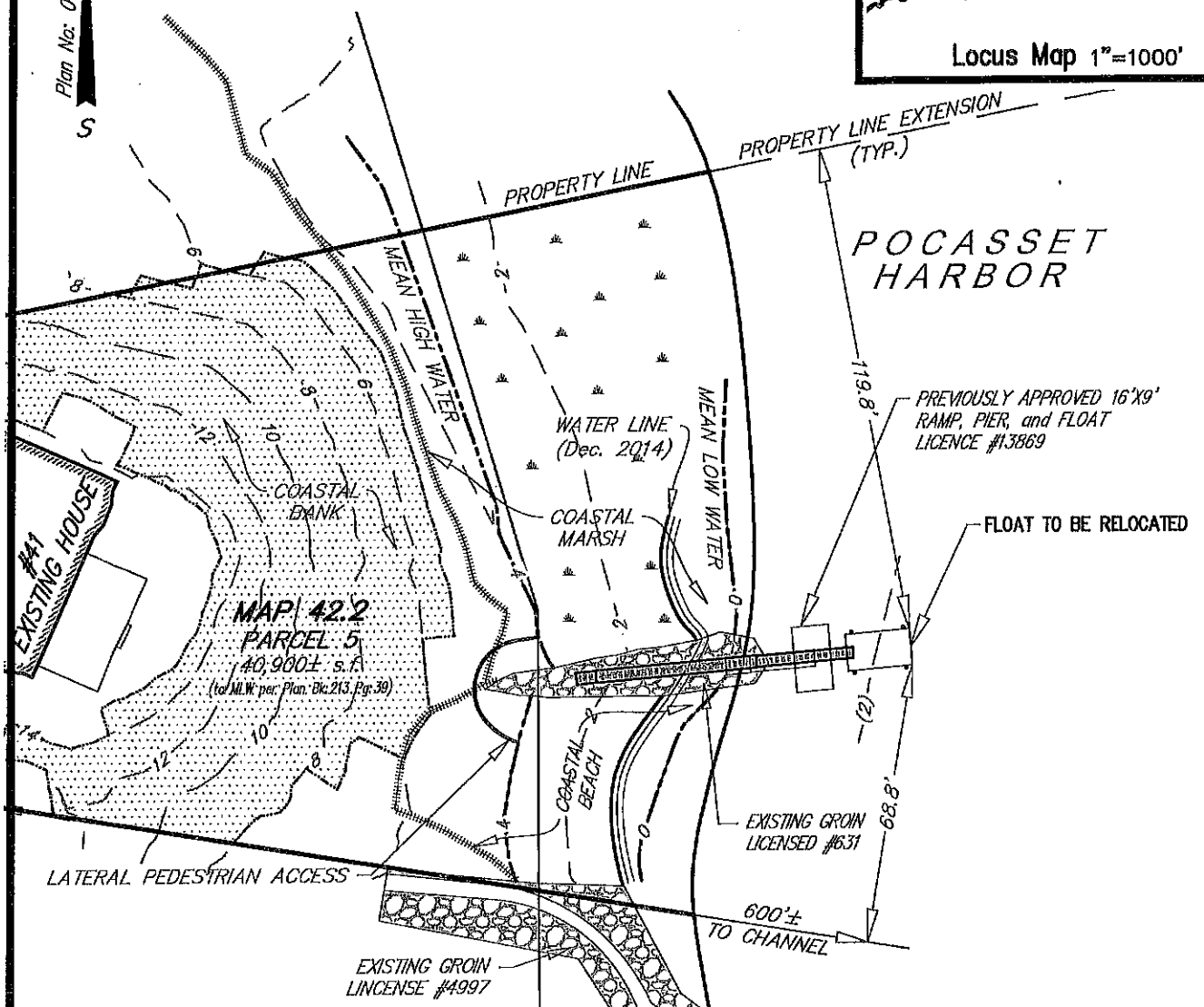
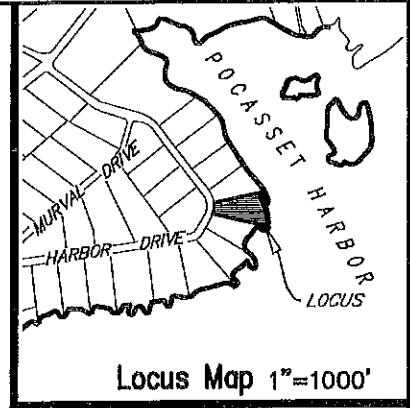
Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2836. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment, at the address below.

Written comments must be addressed to: Dahlia Medeiros, Environmental Engineer, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.



NOTES:

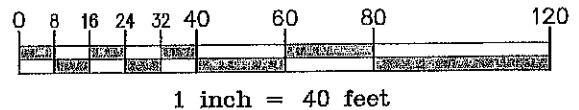
1. SITE ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
2. LOCUS FALLS WITHIN SPECIAL FLOOD HAZARD ZONE "VE (EL 17)" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25001C-0484-J dated 07/16/2014.



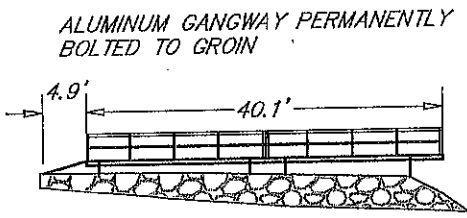
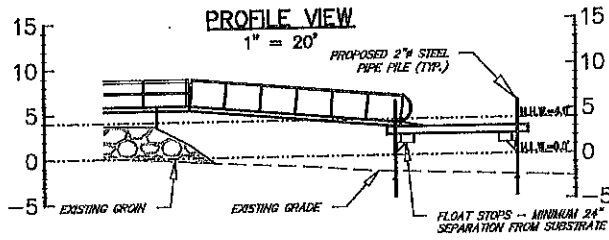
**PLANS ACCOMPANYING
PETITION OF
STEVEN and NANCY CANDELA
41 HARBOR DRIVE
(POCASSET HARBOR)
BOURNE, MA**

TO AMEND EXISTING LICENSE No. 13869 TO EXPAND
THE EXISTING PIER AND RAMP AND RELOCATE THE
EXISTING FLOAT
PREPARED BY
BRACKEN ENGINEERING, INC.
49 HERRING POND ROAD
BUZZARDS BAY, MA 02532
tel: (508) 833-0070 ~ fax: (508) 833-2282
JANUARY 8, 2018 SHEET: 1 of 2

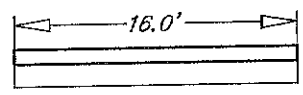
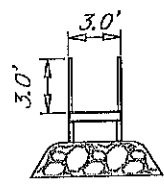
PLAN SCALE



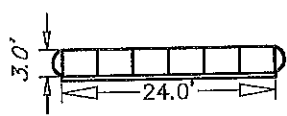
- NOTES:**
1. SITE ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
 2. LOCUS FALLS WITHIN SPECIAL FLOOD HAZARD ZONE "VE (EL 17)" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25001C-0484-J dated 07/16/2014.



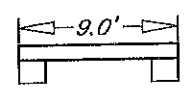
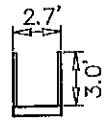
AFFIXED GANGWAY
(SCALE: 1"=20')



EXISTING FLOAT



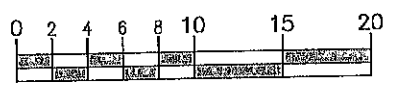
REMOVABLE RAMP
(SCALE: 1"=20')



EXISTING FLOAT

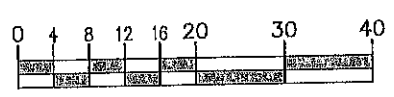
SECTION VIEWS
Scale: 1"=10'
(Unless Otherwise Noted)

SECTION SCALE



1 inch = 10 feet

SECTION SCALE



1 inch = 20 feet

**PLANS ACCOMPANYING
PETITION OF
STEVEN and NANCY CANDELA
41 HARBOR DRIVE
(POCASSET HARBOR)
BOURNE, MA**

TO AMEND EXISTING LICENSE No. 13869 TO EXPAND
THE EXISTING PIER AND RAMP AND RELOCATE THE
EXISTING FLOAT

PREPARED BY
BRACKEN ENGINEERING, INC.
49 HERRING POND ROAD
BUZZARDS BAY, MA 02532

tel: (508) 833-0070 ~ fax: (508) 833-2282
JANUARY 8, 2018 SHEET: 2 of 2



RECEIVED
FEB 08 2018
TOWN OF BOURNE
BOARD OF SELECTMEN



February 6, 2018

Dear Thomas M. Guerino

I am writing you on behalf of the seniors we serve in the town of Bourne to invite you or your designee to participate in the 16th annual March for Meals. As the Town Administrator, you are in an excellent position to help raise awareness for the growing number of seniors facing senior hunger and isolation, both serious problems currently impacting our community.

Elder Services of Cape Cod and the Islands participates in the national March for Meals campaign, which is an annual month-long event. It is designed to generate public awareness about senior hunger and isolation and to celebrate the invaluable services provided by the Meals on Wheels programs – both home-delivered and congregate. Given the exemplary public-private partnership Meals on Wheels embodies, this annual campaign is also intended to showcase the successes of the Older Americans Act, help recruit new volunteers from our community and to increase fundraising from local businesses and supporters.

We would be honored if you or your designee could participate in the March for Meals campaign by helping to deliver meals to our senior clients on Wednesday March 21, 2018. In doing so, you can connect with your constituents in our community and help Elder Services of Cape Cod and the Islands gain much-needed visibility for this cause. Please RSVP by February 28, 2018

If you are interested in joining Elder Services of Cape Cod and the Islands for March for Meals, please contact us at your earliest convenience. I would be delighted to answer any questions that you may have and can be reached at (508) 394-4630 ext. 401 or louis.eppers@escci.org. Thank you for your serious consideration of our request. I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Louis Eppers', is written over a horizontal line.

Louis Eppers
Elder Services of Cape Cod and the Islands
Nutrition Program Manager

xfinityTM

G

February 8, 2018

Via UPS

Board of Selectmen
Town of Bourne
24 Perry Avenue
Buzzards Bay, MA 02532

RECEIVED
FEB 08 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

Dear Chairman and Members of the Board:

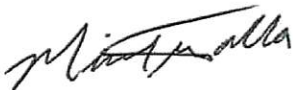
Pursuant to G.L. Ch. 166A, Section 10, Comcast is pleased to provide a copy of its Form 500 for 2017. The Form 500 contains information on customer video service related issues in your community and how Comcast responded, including the time taken to resolve these complaints. For the Form 500, the Massachusetts Department of Telecommunications and Cable defines a complaint as:

Any written or verbal contact with a cable operator in connection with subscription in which a person expresses dissatisfaction with an act, omission, product or service that is (1) within the operator's control, and (2) requires a corrective measure on the part of the operator.

Comcast also has forwarded a copy of the enclosed Form 500 to the Department of Telecommunications and Cable.

If I can be of further assistance on any matter related to the Form 500, please contact me at 508-732-1536.

Very truly yours,



Michael Galla
Sr. Manager of Government Affairs

cc: Department of Telecommunications and Cable


COMCAST

Form 500 Complaint Data

Code Key: Avg. Resolution Time

<1> Less than 1 Day <2> 1-3 Days <3> 4-7 Days <4> 8-14 Days <5> 15-30 Days <6> >30 Days

Code Key: Manner of Resolution

A. Resolved to the satisfaction of both parties.
 B. Resolved, customer dissatisfied. C. Not Resolved.

Manner of Resolution (see code key above for the manner represented by the letters below) The number below each letter indicates the number of complaints resolved in that manner.

Town	Year	Subscribers	Total Complaints	Avg Resolution Time (see code above)	Manner of Resolution		
					A.	B.	C.
BOURNE	2017	8156	0	1	0		
Advertising/Marketing			0	1	0		
Appointment Service Call			1	2	0		
Billing			19	2	1		
Customer Service			2	4	0		
Equipment			25	2	0		
Installation			2	2	0		
Other			0	1	0		
Other			0	1	0		
Programming			0	1	0		
Reception			0	1	0		
Service Interruption			4	2	0		

Form 500 Service Interruption Data

Code Key: Duration of Service Interruption

<1> Less than 1 Day <2> 1-3 Days <3> 4-7 Days <4> 8-14 Days <5> 15-30 Days <6> >30 Days

Town	Year	Date of Service Interruption	Subscribers	Duration of Service Interruption (see Code Key above)
Bourne	2017	8/28/2017 12:44:00 PM	8156	1
Bourne		8/27/2017 12:34:00 AM		1
Bourne		8/10/2017 9:42:00 AM		1
Bourne		8/12/2017 6:47:00 AM		1
Bourne		7/28/2017 1:22:00 AM		1
Bourne		7/28/2017 1:22:00 AM		1
Bourne		7/15/2017 9:57:00 PM		1
Bourne		7/13/2017 4:52:00 PM		1
Bourne		7/7/2017 10:24:00 AM		1
Bourne		8/27/2017 12:31:00 AM		1
Bourne		10/29/2017 8:48:00 PM		1
Bourne		7/10/2017 8:21:00 PM		1
Bourne		7/15/2017 9:57:00 PM		1
Bourne		8/29/2017 11:15:00 AM		1
Bourne		8/30/2017 8:59:00 AM		1
Bourne		9/6/2017 11:39:00 AM		1
Bourne		9/8/2017 2:15:00 PM		1
Bourne		9/9/2017 3:15:00 PM		1
Bourne		9/21/2017 2:09:00 AM		1
Bourne		9/20/2017 12:45:00 PM		1
Bourne		10/1/2017 8:37:00 AM		1
Bourne		10/29/2017 8:49:00 PM		1
Bourne		12/27/2017 10:12:00 AM		1
Bourne		12/27/2017 4:18:00 PM		1
Bourne		1/9/2017 12:55:00 AM		1
Bourne		7/4/2017 2:08:00 PM		1
Bourne		10/17/2017 3:47:00 AM		1
Bourne		2/12/2017 5:29:00 PM		1

Form 500 Service Interruption Data

Code Key: Duration of Service Interruption

<1> Less than 1 Day <2> 1-3 Days <3> 4-7 Days <4> 8-14 Days <5> 15-30 Days <6> >30 Days

Bourne	1/27/2017 8:24:00 PM				1
Bourne	1/19/2017 2:44:00 PM				1
Bourne	1/27/2017 8:24:00 PM				1
Bourne	2/13/2017 8:18:00 AM				1
Bourne	2/12/2017 5:29:00 PM				1
Bourne	2/9/2017 6:32:00 PM				2
Bourne	2/12/2017 4:56:00 PM				1
Bourne	2/12/2017 11:11:00 PM				1
Bourne	3/4/2017 7:52:00 AM				1
Bourne	3/22/2017 1:22:00 PM				1
Bourne	3/17/2017 10:03:00 PM				1
Bourne	3/15/2017 12:42:00 PM				1
Bourne	6/11/2017 10:24:00 AM				1
Bourne	6/13/2017 9:34:00 PM				1
Bourne	6/10/2017 7:24:00 PM				1
Bourne	6/14/2017 11:24:00 AM				1
Bourne	3/14/2017 1:42:00 PM				1
Bourne	6/11/2017 1:04:00 AM				1
Bourne	6/10/2017 7:24:00 PM				1
Bourne	6/5/2017 10:55:00 AM				1
Bourne	5/23/2017 5:35:00 AM				1
Bourne	5/10/2017 3:53:00 PM				1
Bourne	4/23/2017 12:32:00 PM				1
Bourne	5/4/2017 2:35:00 PM				1
Bourne	6/19/2017 11:52:00 AM				1



H

February 9, 2018

Brian Dudley
Mass Department of Environmental Protection
Bureau of Resource Protection
20 Riverside Drive
Lakeville, MA 02347

RE: Town of Bourne – Buzzards Bay Wastewater Treatment Facility Permit No. 974-0

Dear Mr. Dudley -

The Buzzards Bay Coalition (Coalition) has reviewed the Draft Buzzards Bay Wastewater Treatment Facility Permit, No. 974-0 (Permit).

The Coalition is a membership-supported nonprofit organization dedicated to the restoration, protection and sustainable use and enjoyment of Buzzards Bay and its watershed. The Coalition works to improve the health of the Bay ecosystem for the public through education, conservation, research and advocacy. We represent more than 9,000 individuals, families, organizations, and businesses in Southeastern Massachusetts including 485 members in the town of Bourne.

The Coalition has had the great pleasure and opportunity to work with the town of Bourne, Wareham, Plymouth, Marion, and the Massachusetts Maritime Academy on an exciting project that would meet the sewer needs for all these communities and reduce existing nitrogen loads to impaired estuaries by an estimated 90,000lbs per year. By relocating the town of Wareham's wastewater discharge from the Agawam River to the Cape Cod Canal and capitalizing on the high performance of the town of Wareham's Water Pollution Control Facility (Wareham WPCF), we can expand sewer around Buttermilk Bay, Little Buttermilk Bay and the Agawam River resulting in significant water quality improvements in all of upper Buzzards Bay.

The Feasibility Study phase of this project has been completed and the partners continue to drive forward with planning, permitting, and construction. It is with this opportunity on the horizon, that the Coalition offers the following comments.

- I. **The town of Bourne should work with the town of Wareham to secure additional available capacity at the Wareham Pollution Control Facility as an alternative to constructing a new wastewater treatment facility.**

Currently, the town of Bourne sends 200,000 gallons per day (gpd) of wastewater to the town of Wareham's WPCF for treatment and disposal. However, the wastewater needs for downtown Bourne require an additional 335,000 gpd for a total of 535,000 gpd. Until recently, the town of Wareham has been unable to allocate additional capacity beyond the 200,000 gpd to meet the town of Bourne's

www.savebuzzardsbay.org

114 Front Street, New Bedford, Massachusetts 02740 | Tel: 508-999-6363 Fax: 508-984-7913
21 Luscombe Avenue, Woods Hole, Massachusetts 02543 | Tel: 508-540-6222



wastewater needs. However, recent capital improvements in Wareham may have freed up additional capacity for the town of Bourne.

The Coalition strongly encourages the towns of Bourne, Wareham and the Massachusetts Department of Environmental Protection (MassDEP) to work together to allocate additional wastewater capacity at the Wareham WPCF to meet the sewer needs of the town of Bourne. Allocating additional capacity to the town of Bourne will save the town of Bourne the expense of constructing and operating a wastewater treatment facility, provide better wastewater treatment, and avoid any potential additional nitrogen pollution to Buttermilk Bay.

The Coalition acknowledges that these conversations have commenced and encourages all entities to continue to pursue this option.

II. Additional groundwater monitoring wells are needed to ensure the protection of Buttermilk Bay.

In the event that the town of Bourne proceeds with the construction of a wastewater treatment facility and discharge of wastewater at Queen Sewell Park, additional groundwater monitoring wells are needed to verify that the groundwater plume does not impact Buttermilk Bay.

Twenty-three years of Coalition water quality monitoring data show that Buttermilk Bay is beyond its nitrogen threshold. Massachusetts state water quality standards require that Buttermilk Bay have excellent habitat for fish, other aquatic life and wildlife and for primary and secondary contact recreation, as well as excellent aesthetic value. Today, these waters fall short of state requirements. In fact, the MassDEP listed Buttermilk and Little Buttermilk Bay as impaired on the 2012 Massachusetts Integrated List of Waters, otherwise known as the "Dirty Waters list," requiring a Total Maximum Daily Load. Any new nitrogen discharged to Buttermilk Bay from this groundwater discharge must be offset by the extension of sewer to existing septic systems.

According to the town of Bourne's Hydrogeologic Study, a discharge of 335,000 gpd caused 68% of the wastewater to flow towards the Cape Cod Canal, and 32% of the wastewater to flow towards Buttermilk Bay. It is clear that **new nitrogen discharges generated by this project to impaired waters like Buttermilk and Little Buttermilk Bay must be mitigated in order to prevent further degradation of these sensitive and important resources.**

In an effort to avoid the requisite mitigation measures which would have required the town to extend sewer into the Queen Sewell Park neighborhood to offset the new nitrogen discharged to Buttermilk Bay, the town, through this permit, is restricting the discharge to 100,000 gpd. Groundwater modeling offered by the town of Bourne and approved by MassDEP shows that a limited discharge of 100,000 gpd, ensures that the entirety of the discharge will flow towards the Cape Cod Canal and not Buttermilk Bay. The Cape Cod Canal is not a nitrogen impaired water body.

The Coalition has previously submitted comments on the Preliminary Hydrogeologic Study for Wastewater Disposal for Bourne on September 18, 2014, and attaches and incorporates those comments here.

In order to verify the results of the model and protect Buttermilk Bay, the Coalition requests that MassDEP require in the final permit additional groundwater monitoring wells. The additional groundwater monitoring wells should be sited in the modeled discharge flow path towards Buttermilk Bay. The addition of these wells and the quarterly sampling thereof will determine whether any additional nitrogen from the new wastewater discharge flows towards and Buttermilk Bay.

Conclusion

Again, the Coalition applauds the town's commitment to evaluating and supporting the idea of a regional wastewater treatment facility at the town of Wareham's WPCF with a discharge at the Cape Cod Canal. The town has been and continues to be an important partner to this project and the Coalition looks forward to continuing this work.

MassDEP also has a very important role in supporting this project. Allowing additional capacity from the Wareham WPCF to be allocated to the town of Bourne is the best way to meet the wastewater needs of Bourne as well as protect water quality. The Coalition looks forward to continuing this wastewater work with the town of Bourne. Please contact me at any time with questions or concerns.

Sincerely,



Korrin N. Petersen, Esq.
Senior Attorney
(508) 999-6363 ext 206
petersen@savebuzzardsbay.org

Cc: Town of Bourne
Town of Wareham



I

September 18, 2014

Town of Bourne
Board of Sewer Commissioners
24 Perry Ave.
Buzzards Bay, MA 02532

RE: Wastewater Planning in the Town of Bourne

Dear Board of Sewer Commissioners:

The Buzzards Bay Coalition (Coalition) has reviewed the Preliminary Hydrogeologic Study for Wastewater Disposal for Bourne, MA dated January 2014 by Weston & Sampson, (Hydrogeologic Study) regarding a proposed discharge of 335,000 gallons per day (gpd) at Queen Sewell Park and offers the following comments and suggestions. In short, and as identified in the Hydrogeologic Study, **new nitrogen discharges generated by this project to impaired waters like Buttermilk and Little Buttermilk Bay must be mitigated in order to prevent further degradation of these sensitive and important resources.**

The Coalition is a membership-supported nonprofit organization dedicated to the restoration, protection and sustainable use and enjoyment of Buzzards Bay and its watershed. The Coalition works to improve the health of the Bay ecosystem for the public through education, conservation, research and advocacy. We represent more than 8,000 individuals, families, organizations, and businesses in Southeastern Massachusetts.

Purpose and Summary of Hydrogeologic Study.

Today, the Town sends approximately 87,000 gpd of wastewater to the Wareham Wastewater Treatment Facility (Wareham WWTF), but is allowed, by agreement with the town of Wareham, to send up to 200,000 gpd to the Wareham WWTF.¹ It is estimated that the 15 to 25 year practical buildout for "Buzzards Bay Village" in Bourne will generate 335,000 gpd of new wastewater flow beyond the 200,000 gpd conveyed to Wareham.² The purpose of the Hydrogeologic Study was to investigate two sites for the discharge of 335,000 gpd of treated effluent through subsurface disposal at the Community Center and at Queen Sewell Park.³ The Hydrogeologic Study recommends Queen Sewell Park as the preferred location for discharge.⁴

¹ Weston & Sampson, Preliminary Hydrogeologic Study for Wastewater Disposal for Bourne, MA January 2014 at 1-

1.

² Id.

³ Id.

⁴ Id at 8-1.

www.savebuzzardsbay.org

114 Front Street, New Bedford, Massachusetts 02740 | Tel: 508-999-6363 Fax: 508-984-7913
21 Luscombe Avenue, Woods Hole, Massachusetts 02543 | Tel: 508-540-6222



The Hydrogeologic Study modeled the discharge to determine the path to surface waters from the groundwater discharge at Queen Sewell Park.⁵ The results indicate that 32% of the treated effluent discharges to Buttermilk Bay and 68% into the Cape Cod Canal.⁶ The Hydrogeologic Study acknowledges that mitigation strategies for nitrogen loading to already impaired receiving water bodies will likely need to be addressed.⁷

Buttermilk Bay and Little Buttermilk Bay are polluted with nutrients.



Figure 1. Coalition Water Quality Monitoring Sites.

Twenty-one years of Coalition water quality monitoring data show that Buttermilk Bay is beyond its capacity to accept new sources of nitrogen. Commonwealth of Massachusetts water quality standards require that these waters have excellent habitat for fish, other aquatic life and wildlife and for primary and secondary contact recreation, as well as excellent aesthetic value.⁸ Today, these waters fall short of state requirements. In fact, the Massachusetts Department of Environmental Protection (MassDEP) listed Buttermilk and Little Buttermilk Bay as impaired on the 2012 Massachusetts

Integrated List of Waters, otherwise known as the Dirty Waters list, requiring a Total Maximum Daily Load.⁹

The Coalition’s Chlorophyll data show that Buttermilk and Little Buttermilk Bay do not possess the excellent aesthetic values required of the state standards. High chlorophyll levels often indicate nitrogen pollution, resulting in cloudy, greenish water and the potential for low dissolved oxygen levels. Clear and healthy waters have approximately 3 ug/L of algal pigments. Algal pigments which exceed 3 ug/L indicate impaired water quality and algal pigments at 10 ug/L and above indicate eutrophic

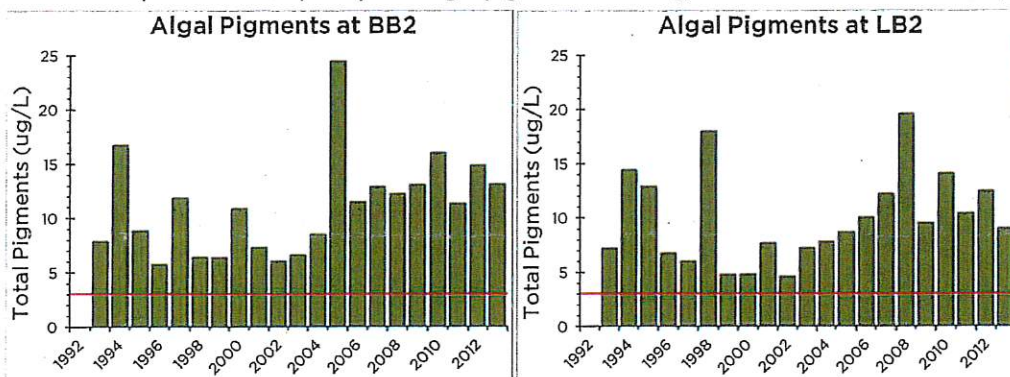


Figure 2. Algal pigment concentrations measured by the Coalition over the last twenty years in Buttermilk and Little Buttermilk Bay.

⁵ Id. at 7-6.

⁶ Id.

⁷ Id. at 7-6 to 7-7.

⁸ 314 CMR 4.05(4).

⁹ Massachusetts Year 2012 Integrated List of Waters at 118-119.

conditions.¹⁰ Figure 2 shows that Buttermilk and Little Buttermilk Bay are well above the healthy level of 3 ug/L and regularly exceed 10 ug/L.

The Coalition's nitrogen data for Buttermilk and Little Buttermilk Bay suggests that the nitrogen levels are promoting algae growth as depicted by the level of algal pigments in Figure 2. The nitrogen concentrations measured in Buttermilk and Little Buttermilk Bay exceed those levels identified to support healthy benthic communities and eelgrass meadows in other systems. For instance, the US EPA has established nitrogen limits for Phinneys Harbor in Bourne, MA through an approved Total Maximum Daily Load (TMDL) at a level of 0.35mg/L total nitrogen.¹¹ The nitrogen levels in Buttermilk and Little Buttermilk Bay exceed 0.35mg/L total nitrogen nearly 100% of the time as shown in Figure 3.

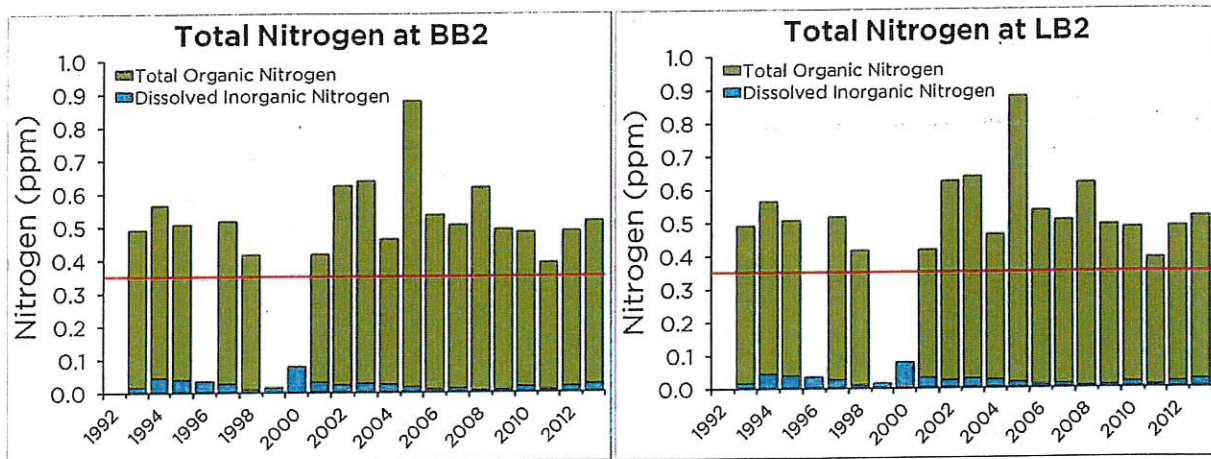


Figure 3. Total nitrogen concentrations measured by the Coalition over the last twenty years in Buttermilk and Little Buttermilk Bay.

It is well established that septic systems remain the largest single nitrogen source in most embayments around Buzzards Bay.¹² Cumulative concentrations of nitrogen in groundwater have a significant impact on coastal resources. These impacts are due to the incomplete removal of nitrogen from on-site Title 5 septic systems.¹³ It is clear that action must be taken to reduce the amount of nitrogen currently discharged to Buttermilk and Little Buttermilk Bay to meet water quality standards. Reducing the number of Title 5 septic systems discharging to Buttermilk and Little Buttermilk Bay by connecting the homes to sewer can reduce the amount of nitrogen in these waters and help restore water quality. Any new nitrogen discharges to Buttermilk Bay and Little Buttermilk Bay must be offset in order to avoid further adverse water quality impacts.

¹⁰ Howes B., E.M. Eichner, S. Kelley, R.I. Samimy, J.S. Ramsey, D.R. Schlezinger, P. Detjens (2011). Massachusetts Estuaries Project Linked Watershed-Embayment Modeling Approach to Determine Critical Nitrogen Loading Thresholds for the Wild Harbor Embayment Systems, Town of Falmouth, Massachusetts, Massachusetts Department of Environmental Protection. Boston, MA at 113.

¹¹ Phinneys Harbor Embayment System Total Maximum Daily Loads For Total Nitrogen 95-TMDL-2 CN#247.0 at 10.

¹² Costa, J.E., ed. 2013. Buzzards Bay Comprehensive Conservation Management Plan 2013 Update. Buzzards Bay National Estuary Program, Massachusetts Executive Office of Energy and Environmental Affairs, Office of Coastal Zone Management at 45.

¹³ Draft Cape Cod Area Wide Water Quality Management Plan Update August 2014 at ii.

State Law Requires Offsets for New Nitrogen Discharges to Impaired Waterbodies.

State law requires offsets for new nitrogen discharges into impaired waterbodies like Buttermilk and Little Buttermilk Bay. This “no-net nitrogen” standard, enforced by MassDEP through the groundwater discharge permit program, means that for every new pound of nitrogen discharged, one pound of existing nitrogen must be removed.

State Groundwater Discharge Regulations provide that “The Department shall not issue a permit pursuant to 314 CMR 5.00 when the discharge will cause or contribute to a violation of 314 CMR 4.00: *Massachusetts Surface Water Quality Standards*...”¹⁴ The State Surface Water Quality Standards provide additional minimum nutrient criteria applicable to all surface waters “shall not exceed the site-specific limits necessary to control accelerated or cultural eutrophication.”¹⁵

As stated previously, approximately 32% of the 335,000 gpd of proposed new discharge will flow to Buttermilk Bay according to the results of the model reported in the Hydrogeologic Study.¹⁶ If the contemplated wastewater treatment facility achieves a nitrogen effluent of 5mg/L, a total of 3,600 pounds of new nitrogen will be discharged to the Cape Cod Canal and 1,600 pounds will be discharged to Buttermilk Bay each year.¹⁷ In the event that the Town pursues a discharge at Queen Sewell Park, the Town will be required to remove 1,600 lbs of existing sources of nitrogen to Buttermilk Bay to offset the new nitrogen load. The Hydrogeologic Study acknowledges the constraints of the receiving water bodies and states, “Mitigation strategies for nitrogen loading to already impaired receiving water bodies (Buttermilk Bay and Cape Cod Canal) will likely need to be addressed.”¹⁸ Those mitigation, or offset strategies, may include, removal of down gradient Title 5 systems by sewerage, reduction of lawn fertilizers in the watershed, and treatment of stormwater.¹⁹ The sewerage of existing down gradient Title 5 systems likely achieves the most effective offsets.

Based on the water use data collected by the Massachusetts Estuaries Project (MEP) for the Phinneys Harbor System in Bourne, the average Bourne single family home uses 182 gallons of water per day.²⁰ The MEP report also indicates that the concentration of nitrogen leaving a septic system in the town of Bourne is approximately 24 mg/L.²¹ Therefore, the average single family home in Bourne discharges approximately 13.3 lbs of nitrogen per year.²² If those homes were connected to a sewer that treated for nitrogen down to a level of 5mg/L, as opposed to the 24mg/L in a septic system, the amount of nitrogen discharged per home would fall to 2.8lbs/year resulting in a 10.5 lb per year reduction per

¹⁴ 314 CMR 5.06(1).

¹⁵ 314 CMR 4.05(c).

¹⁶ Hydrogeologic Study at 7-6.

¹⁷ Id. at 7-7. A flow rate of 335,000 gpd at a 5mg/L concentration will generate 5,097lbs of nitrogen a year. 32% of 5,097 lbs/year is 1,631lbs/year.

¹⁸ Id. at 8-2.

¹⁹ Id. at 7-7.

²⁰ Howes B., S.W. Kelley, J.S. Ramsey, R. Samimy, D. Schlezinger, E. Eichner (2006). Linked Watershed-Embayment Model to Determine Critical Nitrogen Loading Thresholds for Phinneys Harbor-Eel Pond-Back River System, Bourne, Massachusetts at 31.

²¹ Id. at 30

²² 182 gpd * 3.7851 gal * 365 days/year * 24mg/L / 454,000 mg/lb = 13.3 lbs/year.

home.²³ Therefore, in order to offset 1,600 lbs of new nitrogen due to the construction of the new wastewater treatment plant, the Town would need to connect 153 homes to the new wastewater treatment plant.²⁴ Accommodating 153 homes at the new wastewater treatment facility would increase the design flow by 50,490 gpd.²⁵ Connecting 300 homes offsets the 1,600 pounds of new nitrogen and removes an additional 1,550 lbs of nitrogen per year from Buttermilk Bay and results in a 99,000 gpd increase in design flow.²⁶ This nitrogen reduction will result in real water quality improvements in Buttermilk and Little Buttermilk Bay.

Opportunity to Promote Economic Development and Improve Water Quality in Buttermilk and Little Buttermilk Bay.

The Town has a unique opportunity to invest in wastewater infrastructure to facilitate economic development in downtown Buzzards Bay while at the same time provide water quality improvements. Connecting the surrounding neighborhood to sewer, as opposed to maintaining septic systems, will result in improved water quality in Buttermilk and Little Buttermilk Bay. In turn, these water quality improvements can have additional positive impacts on property values for the Town. The Draft 208 plan released by the Cape Cod Commission and currently out for public comment accurately asserts that, "Continued degradation of the coastal resources on Cape Cod will . . . decrease property values for year-round residents and second homeowners."²⁷ The Town has an opportunity to combat that result here.

The Coalition urges the Town to design a wastewater system with sufficient capacity to connect the existing densely developed neighborhood in the Queen Sewell Park area.

Consider Ocean Outfall to Cape Cod Canal as an Alternative Discharge Strategy.

The Town should also assess whether the permitting of an ocean discharge into the well-flushed waters of the Cape Cod Canal is a viable alternative in this instance. Discharging wastewater into groundwater results in near shore discharges into our most sensitive harbors and coves. Alternatively, an ocean discharge could bypass such sensitive marine resources. While previously prohibited by state law, recent amendments allow DEP to approve wastewater discharges into the ocean provided that the discharge does not violate water quality standards of the receiving waterbody, creates no adverse impact to groundwater and the effluent is treated for nutrients.²⁸ Provided that an ocean discharge meets the requirements of the law and is approved by MassDEP, the Town's discharge would not be limited by what can be discharged into the ground at Queen Sewell Park.

A discharge in the Cape Cod Canal may not adversely impact water quality in the Canal itself, but given the tidal characteristics of the Canal – flowing to Buzzards Bay two times a day – the Coalition would

²³ $182 \text{ gpd} * 3.7851 \text{ gal} * 365 \text{ days/year} * 5 \text{ mg/L} / 454,000 \text{ mg/lb} = 2.8 \text{ lbs/year}$. The old septic load of 13.3lbs/year minus the new nitrogen load from the sewer connection of 2.8lbs/year equals 10.5lbs/year of nitrogen reduction per home.

²⁴ $1,600 \text{ lb offset needed} / 10.5 \text{ lbs of nitrogen reduction} = 152.38$ homes if connected to a sewer treating to 5mg/L yields 152.38 homes.

²⁵ $330 \text{ gpd} \text{ times } 152.38 \text{ homes} = 50,490 \text{ gpd}$.

²⁶ $300 \text{ homes} \text{ times } 10.5 \text{ lbs} = 3,150 \text{ lbs of nitrogen removed}$. $300 \text{ homes} \text{ times } 330 \text{ gpd} = 99,000 \text{ gpd}$.

²⁷ Draft Cape Cod Area Wide Water Quality Management Plan Update August 2014 at iii-iv.

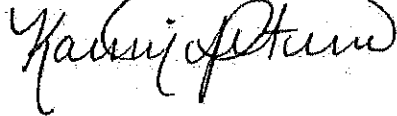
²⁸ Chapter 259 of the Acts of 2014.

want to assess any potential impacts to water quality in upper Buzzards Bay, including Buttermilk and Little Buttermilk Bay.

Conclusion

The Coalition looks forward to working with the Town as it moves forward in its wastewater planning effort. Please contact me at any time with questions or concerns.

Sincerely,



Korrin N. Petersen, Esq.
Senior Attorney
(508) 999-6363 ext 206

Cc: Massachusetts Department of Environmental Protection
Cape Cod Commission

Town of Bourne Wastewater Project Coordinator
Town of Bourne Board of Health
Town of Wareham Board of Selectmen
Town of Wareham Director of Water Pollution Control

J



The Nature Conservancy in Massachusetts
99 Bedford St., 5th floor
Boston, MA 02111

tel (617) 532-8300
fax (617) 232-8400
nature.org/massachusetts

RECEIVED
FEB 12 2018
TOWN OF BOURNE
BOARD OF SELECTMEN

February 7, 2018

MEPA
100 Cambridge St., 9th floor
Boston, MA 02114

Re: Letter Requesting Waiver of EIR for ENF Filed on this Date. Town of Bourne/The Nature Conservancy, Little Buttermilk Bay, Bourne, Oyster Habitat Restoration

Dear Secretary Beaton:

This letter is a request to waive the EIR for an oyster habitat restoration project proposed for waters in Little Buttermilk Bay in Bourne, Massachusetts. This letter supplements the MEPA ENF submitted on this date, which indicates our request for a waiver of the EIR. In accordance with 301 CMR 11.11, the following describes the reasoning behind this request for a waiver:

1. Because of the materials and methodology to be used, the project is unlikely to cause damage to the environment, and intends to supplement existing oyster habitat (hard substrate) with the goal of increasing the oyster population in Little Buttermilk Bay. We are extending existing oyster habitat into an area that is currently of low structural complexity and of limited suitability for oysters.
2. A growing body of research has demonstrated the important roles that shellfish play in coastal ecosystems. These roles include filtering water to improve clarity and light transmission, cycling nutrients as bivalves feed on suspended algae, providing structurally complex benthic habitat for a wide range of other species, as well as providing an economic and recreational resource.
3. The nature of the project triggers a variety of permitting processes, ensuring ample public and agency review.

Thank you for your consideration of this waiver request and please contact me if you have additional questions: mpelikan@tnc.org; (508) 693-6287 ext. 11

Sincerely,

Matthew L. Pelikan
TNC Conservation Measures Manager
18 Helen Ave.
Vineyard Haven, MA 02568

5

PRIVATE ROADS ACCEPTANCE COMMITTEE

APPOINTED BY THE BOARD OF SELECTMEN

ONE YEAR TERM

Created by Selectmen's Minutes

11/9/04 & 1/11/05

11/9/04

Private Road Acceptance Program

Administrator Griffin reported to the Board that a public meeting was held on October 27, 2004 to review the Road Acceptance and Betterment Program. Residents were interested in listening to the process in which their private ways might be accepted as a public way. Provided the board with a copy of the power point presentation that was presented that night. There were several issues that were brought up that night which will require the boards review and endorsement.

On an annual basis we will have to establish a prioritization process to see what roads will be brought before the town for consideration. There is be a need for a Road Acceptance Advisory Committee and would recommend that a member of the Planning Board, Superintendent of Public Works, Town Planner, Engineering Technician and a member of the Board of Selectmen be on committee. Also would recommend 2 members at large.

There were roads built 2 years ago that will require very limited on-site surveying and very little work to reconstruct the roads to roads built 80 years ago with no plan and will require surveying, bounds, drainage and reconstruction. Town will have equal responsibility to address these roads.

Questions raised whether their road will be taken and how much the betterment charge would be? Situation of the road will have to be determined. Individuals are collecting signatures with not having answers to questions. Portion of process is when information is estimated the petitioners will have an opportunity to back. This will require a public hearing detailing the estimated cost for the entire project is a certain amount.

For a private way to be accepted as a public way, at least 75% of the abutters must sign petition. If someone on street didn't sign petition and they have frontage they will be paying a betterment. Encourage petitioners to get their petition in by the end of the year.

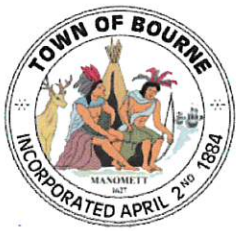
Selectman W. T. Barlow made a **MOTION** and **SECONDED** by Selectman LaFarge to establish a Road Acceptance Advisory Committee by Executive Order by the Board of Selectmen 2004-01 with the set up of the 2 members at large as recommended by the Town Administrator (5 members + 2 at large). **UNANIMOUS VOTE**

The 2 members at large can't have an interest in a road being proposed either through family or directly.

Selectman LaFarge made a **MOTION** and **SECONDED** by Selectman W. T. Barlow that once the estimated costs and betterment assessment are known, will notify all those who will be paying the betterment assessment will have a 30 day window which they can lock-out with written notice to the Board no later than the 30th day after notification of the estimate. **UNANIMOUS VOTE**

Chairman Zuern thanked Administrator Griffin for all his work.

1/11/05



TOWN OF BOURNE

Board of Selectmen

24 Perry Avenue – Room 101
Buzzards Bay, MA 02532-3496
www.townofbourne.com



GEORGE S. SLADE, JR, CHAIRMAN
PETER J. MEIER, VICE CHAIRMAN
JUDITH M. FROMAN, CLERK
DONALD J. PICKARD
MICHAEL A. BLANTON

Phone: 508-759-0600 x1503
Fax: 508-759-8026

To: Bourne Enterprise
Bourne Courier
Cape Cod Times

From: Thomas M. Guerino
Town Administrator

Date: 1/24/2018

Re: Vacancy – Private Roads Acceptance Committee

News Item:

Notice of Vacancy [2] Members – Private Roads Acceptance Committee

The Bourne Town Administrator invites interested residents to apply to serve an unfilled term to June 30, 2018 as a **member** of the Private Roads Acceptance Committee. Interested candidates should submit a letter of interest and resume to Town Administrator, Town Hall, 24 Perry Avenue, Buzzards Bay, MA 02532 or via email to tguerino@townofbourne.com no later than Friday, February 9, 2018 at noon.

Please direct any questions relative to this ad to the Office of the Town Administrator, 508.759.0600, ext. 1503.

**Selectmen's Minutes
November 9, 2004
Bourne Veterans' Memorial Community Center
239 Main Street
Buzzards Bay, MA 02532**

Private Road Acceptance Program

Administrator Griffin reported to the Board that a public meeting was held on October 27, 2004 to review the Road Acceptance and Betterment Program. Residents were interested in listening to the process in which their private ways might be accepted as a public way. Provided the board with a copy of the power point presentation that was presented that night. There were several issues that were brought up that night which will require the boards review and endorsement.

On an annual basis we will have to establish a prioritization process to see what roads will be brought before the town for consideration. There is be a need for a Road Acceptance Advisory Committee and would recommend that a member of the Planning Board, Superintendent of Public Works, Town Planner, Engineering Technician and a member of the Board of Selectmen be on committee. Also would recommend 2 members at large.

There were roads built 2 years ago that will require very limited on-site surveying and very little work to reconstruct the roads to roads built 80 years ago with no plan and will require surveying, bounds, drainage and reconstruction. Town will have equal responsibility to address these roads.

Questions raised whether their road will be taken and how much the betterment charge would be? Situation of the road will have to be determined. Individuals are collecting signatures with not having answers to questions. Portion of process is when information is estimated the petitioners will have an opportunity to back. This will require a public hearing detailing the estimated cost for the entire project is a certain amount.

For a private way to be accepted as a public way, at least 75% of the abutters must sign petition. If someone on street didn't sign petition and they have frontage they will be paying a betterment. Encourage petitioners to get their petition in by the end of the year.

Selectman W. T. Barlow made a **MOTION** and **SECONDED** by Selectman LaFarge to establish a Road Acceptance Advisory Committee by Executive Order by the Board of Selectmen 2004-01 with the set up of the 2 members at large as recommended by the Town Administrator (5 members + 2 at large). **UNANIMOUS VOTE**

The 2 members at large can't have an interest in a road being proposed either through family or directly.

Selectman LaFarge made a **MOTION** and **SECONDED** by Selectman W. T. Barlow that once the estimated costs and betterment assessment are known, will notify all those who will be paying the betterment assessment will have a 30 day window which they can lock-out with written notice to the Board no later than the 30th day after notification of the estimate. **UNANIMOUS VOTE**