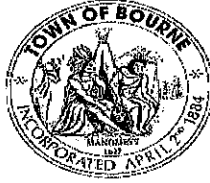


**COMMISSION
ON DISABILITIES
TO
CULTURAL COUNCIL
2019**

VOL. 2



CONSERVATION COMMISSION AGENDA
Thursday, June 6, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

2019 JUN 4 5:10:56
TOWN OF BOURNE

7:00 Request for Determination

- 1) **Applicant:** John Briscoe **File Number:** CC19-16
Representative: Self
Project Address: 6 Massasoit Ave, Pocasset
Proposed Project: To install a stone driveway within a V flood zone, AE Flood zone and within 100 feet of a wetland resource area

- 2) **Applicant:** Donald S. Sweet TR **File Number:** CC19-17
Representative: Bracken Engineering
Project Address: 55 Gilder Road, Gray Gables
Proposed Project: petitioned to install a new innovative/alternative septic system and abandon the existing system within an AE Flood zone and within a 100 feet of a wetland resource area

- 3) **Applicant:** Town of Bourne **File Number:** CC19-18
Representative: Bourne Conservation Department
Project Address: Along the road shoulder at 0 Shore Road adjacent to the Back River, Monument Beach
Proposed Project: To perform vista pruning within an AE Flood zone and within a 100 feet of a wetland resource area.

- 4) **Applicant:** Jane Kramer Garland, c/o Lorenzo and Nicola Ansuini
File Number: CC19-15
Representative: JC Engineering Inc.
Project Address: 30 Old Head of the Bay Rd, Buzzards Bay
Proposed Project: To upgrade failed system to a Title 5 septic system, old cesspools to be pumped, filled and abandon within an AE flood zone and within 100 feet of a wetland resource area
(Continued from May 16, 2019)

Notice of Intent:

- 1) **Applicant:** Courtney Peloquin **DEP File Number:** SE7-2066
Representative: Same
Project Address: 35 Buttermilk Way, Buzzards Bay
Proposed Project: To repair and maintain existing sea wall, including re-pointing, replacement of aging masonry units, and placement of drainage stone and geotextile fabric, within a V Flood zone and within a 100 feet of a wetland resource area
- 2) **Applicant:** Patrick Ross **DEP File Number:** SE7-20
Representative: Same
Project Address: Located north of the Mashnee Dike and east of Hog Island
Proposed Project: To expand an existing Aquaculture/Shellfish Grant operation within the municipal waters of the Town of Bourne
(Continued from April 4, 2019)
- 5) **Applicant:** Dan Maurice & Jim Rossignol
DEP File Number: SE7-2064
Representative: Same
Project Address: Adjacent to Bassett's Island
Proposed Project: To grow oysters and quahogs as an extension to an existing aquaculture grant located adjacent to Bassett's Island, within a V Flood zone and within a 100 feet of a wetland resource area.
(Continued from May 2, 2019)

REQUEST FOR CERTIFICATE OF COMPLIANCE:

- 1) **Applicant:** Robert and Karen Bosco **DEP File Number:** SE7-1321
Representative: Self
Project Address: 10 Indian Trail, Sagamore Beach
Proposed Project: Reconstruct a single family dwelling and install a new septic system within 100 feet of a wetland resource area.
- 2) **Applicant:** Robert and Karen Bosco **DEP File Number:** SE7-1363
Representative: Self
Project Address: 10 Indian Trail, Sagamore Beach
Proposed Project: To construct a deck and perform landscaping work within 100 feet of a wetland resource area.

- ▶ Update and possible vote on whether the Conservation Commission will allow a Notice of Intent to be filed on town owned land at 0 Crab Rock Way.
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re:
- ▶ Questions and Answers re:

RECEIVED

2019 JUL 15 AM 8:37

**Conservation Commission
Meeting Minutes**

~~TOWN CLERK BOURNE~~

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

June 6, 2019

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on June 6, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Tom Ligor, Susan Weston (7:05), Melvin P. Holmes and Associate Member, Greg Berman.

Excused Members: Rob Palumbo, Paul Szwed and Elise Leduc.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Peter Valeri, Dave Dwyer, Roberta Dwyer, Rob Peloquin, Courtney Peloquin, Lauren Peloquin, Brian Wallace, Christopher Southwood, Jim Rossignol and Jim Mulvey.

Chm. Gray observed a moment of silence in recognition of the patriots who lost their lives seventy-five years ago in the invasion of Normandy on June 6, 1944.

Request for Determination of Applicability:

1) Applicant: John Briscoe
File Number: CC19-16
Representative: Self
6 Massasoit Ave., Pocasset

To install a stone driveway within a V Flood Zone, AE Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to June 20, 2019)

2) Applicant: Donald S. Sweet TR
File Number: CC19-17
Representative: Peter Valeri
55 Gilder Road, Gray Gables

Petitioned to install a new innovative/alternative septic system and abandon the existing system within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Peter Valeri addressed the members and described the proposed project.

Agent Comment – Mr. Haines discussed the Resource Areas located on the property which includes; a dune in the front with a fairly level flat area and a Chapter 91 jurisdictional Coastal Bank. He stated the proposed septic is an improvement over what's existing and he isn't concerned about erosion. As long as the side grades are returned, he doesn't foresee any adverse impacts to the Coastal Bank. Mr. Valeri stated there are no proposed changes to any of the existing grades.

Board Comment – Mr. Ligor asked for clarification on the type of septic system being installed. Mr. Valeri stated it's a denitrification system.

Mr. Haines mentioned the applicant may come forward with a separate tree removal proposal, which he is willing to handle administratively if the Commission chooses. He stated the trees are a risk to the property. After a brief discussion regarding the proposed tree removal, the Commission decided to allow the agent to handle the request administratively.

Public Comment – Abutter, Dave Dwyer, asked for additional information on the type of septic system being proposed. Mr. Valeri offered additional information on the proposed system. Chm. Gray elaborated further.

A brief discussion transpired regarding the abandonment of the existing septic system.

Mr. Dwyer questioned the maintenance schedule of the new system. Mr. Valeri discussed how the proposed system will be maintained.

A brief discussion transpired regarding the proposed tree removal.

Mrs. Dwyer questioned how the septic system will pump waste. Mr. Valeri explained the process.

Mrs. Dwyer opened a brief discussion regarding architectural renderings.

Chm. Gray entertained a motion. **Mr. Holmes moved, Mr. Ligor seconded to allow the agent to work administratively with the property owner regarding the removal/replacement of trees on the west side of the property.** The motion carried. 3-0-1. Ms. Weston abstained.

Mr. Ligor moved, Mr. Holmes seconded a Negative Two Determination. The motion carried. 3-0-1. Ms. Weston abstained.

Chm. Gray explained the negative determination to those in attendance.

3) Applicant: Town of Bourne

File Number: CC19-18

Representative: Bourne Conservation Department

Along the road shoulder at 0 Shore Road adjacent to Back River, Monument Beach

To perform vista pruning within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Mr. Haines, representing the Town, described the proposed project. He stated he flagged the proposed vista windows at the site and the town's engineer started identifying the road shoulder limits. There are exemptions under the Wetlands Protection Act for road shoulder clearing but none of them apply for administratively approving this project which is why Mr. Haines is before the Commission.

Board Comment – Mr. Berman opened a discussion regarding which trees will be cut and how the work will be performed.

Ms. Weston voiced her opposition of the proposed project. Mr. Holmes agreed. A discussion ensued.

Public Comment – Jim Mulvey questioned whether the proposed location was designated an ACEC; which would add a higher degree of environmental protection. Mr. Haines stated yes, the proposed location is within the ACEC.

Mr. Holmes expressed interest in reducing the number of trees that are proposed to be cut. After a brief discussion, it was decided to continue the matter to allow the members to visit the site before making a determination.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded to continue the matter to June 20, 2019.** The motion carried. 3-1-0. Mr. Ligor opposed.

Chm. Gray recused himself from discussion and vote. Mr. Holmes chaired the meeting.

4) Applicant: Jane Kramer Garland, c/o Lorenzo and Nicola Ansuini
File Number: CC19-15
Representative: JC Engineering Inc.
30 Old Head of the Bay Rd., Buzzards Bay

To upgrade a failed system to a Title V septic system, old cesspools to be pumped, filled and abandoned within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

(Continued from May 16, 2019)

Brian Wallace described the existing septic system and discussed the proposed project. He also described the Resource Areas located on the property.

Agent Comment – Mr. Haines stated the matter was continued because he requested revised site plans to include; delineation of the Bordering Vegetated Wetland and to relocate the dewatering basin further away from the wetland. Both requests have been met and Mr. Haines is satisfied with the revisions. The agent's only other concern is the process for the slope stabilization upgradient. Even though it is out of the Commission's jurisdiction, he asked the representative to elaborate. Mr. Wallace elaborated.

Public Comment – None.

Mr. Holmes entertained a motion. **Mr. Ligor moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 3-0-0.

Chm. Gray returned to chair the meeting.

Notice of Intent:

1) Applicant: Courtney Peloquin
File Number: SE7-2066
Representative: Same
35 Buttermilk Way, Buzzards Bay

To repair and maintain existing sea wall, including repointing, replacement of aging masonry units and placement of drainage stone and geotextile fabric within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed -- Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Rob Peloquin addressed the members. He provided a brief history of the property and described the need for the proposed project.

Mr. Haines questioned how the weep holes will be installed. Mr. Peloquin discussed the process.

Agent Comment – Mr. Haines explained this request has been filed without an engineered stamped plan; however, the project is well-detailed. The wall does not have a Chapter 91 License as of yet so that will be a condition of the Order. Based on the voids behind the wall, the structure is clearly in need of repair. He thinks repointing will be effective because the actual wall is in good condition. Mr. Haines thinks the recommendation made by The Division of Marine Fisheries (DMF) to install containment booms to control sedimentation isn't necessary; however, the Commission may want to condition the Order requiring BMPs be placed around the stockpiles. He stated the property is not located within The Natural Heritage and Endangered Species priority habitat. He is willing to work with the applicant administratively regarding the mitigation plantings

Board Comment – Mr. Berman likes the idea of a vegetated buffer. Mr. Holmes and Mr. Ligor agreed.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 7, 9, 10, 11, 12, 14, 15, 18, 19, 21, 22, 26, 27, 28, and the following Special Conditions pursuant to the Bourne Wetlands Protection Bylaw; 2, 12, 15 and 18. Special Condition 15 will continue in perpetuity.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Holmes moved, Mr. Ligor seconded to move the Draft Order of Conditions to the Final Order of Conditions.** With no discussion, the motion carried. 4-0-0.

Chm. Gray explained the appeal period to the applicant.

2) Applicant: Patrick Ross

File Number: SE7-2061

Representative: Same

Located north of Mashnee Dike and east of Hog Island.

To expand an existing aquaculture/shellfish grant operation within the municipal waters of the Town of Bourne.

Materials Reviewed – Letter from The Natural Heritage and Endangered Species Program and Letter from The Division of Marine Fisheries.

(Continued from April 4, 2019)

Agent Comment – Mr. Haines explained the matter was continued pending the survey response from The Division of Marine Fisheries (DMF) and The Natural Heritage and Endangered Species Program. A letter from The Natural Heritage and Endangered Species Program was received with three conditions. Mr. Haines read the conditions and also read the response received from DMF.

Board Comment – Chm. Gray asked Harbormaster Christopher Southwood, whether he had navigational concerns at this particular site. Mr. Southwood indicated he does not have navigational concerns.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 3, 7, 18, 19, 22, 27 and the following Special Conditions pursuant to the Bourne Wetlands Protection Bylaw; 14, 16, 17, 18, 20, 21 and all conditions required by The Natural Heritage and Endangered Species Program.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** With no discussion, the motion carried. 4-0-0.

- 3) Applicant: Dan Maurice and Jim Rossignol
File Number: SE7-2064
Representative: Same
Adjacent to Bassett's Island

To grow oysters and quahogs as an extension to an existing aquaculture grant located adjacent to Bassett's Island within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Letter from The Natural Heritage and Endangered Species Program and Letter from The Division of Marine Fisheries.

(Continued from May 2, 2019)

Agent Comment – Mr. Haines explained the matter was continued pending a response from DMF, The Natural Heritage and Endangered Species Program and to request Harbormaster Southwood attend a hearing to discuss navigational issues. DMF performed a survey on May 21, 2019 and did not have any concerns. He read the conditions required by The Natural Heritage and Endangered Species Program.

Harbormaster Chris Southwood discussed the grant's proximity to the channel. He does not have any navigational concerns.

Board Comment – Chm. Gray expressed nighttime navigational concerns. Mr. Southwood and Mr. Rossignol discussed measures that will be taken to prevent boaters from entering the grant area during nighttime sailing.

Chm. Gray opened a discussion regarding pollutants and potential impacts to shellfish.

Mr. Ligor discussed the potential for upwelling at the top of Nairn Road.

Public Comment – Jim Mulvey expressed concern that a stretch of beach won't be accessible by boat because of the location of the aquaculture grant. Chm. Gray stated the section of beach he's referring to is under private control so it won't be impacted.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 3, 7, 18, 19, 22, 27 and the following Special Conditions pursuant to the Bourne Wetlands Protection Bylaw; 14, 16, 17, 18, 20, 21 and all conditions required by The Natural Heritage and Endangered Species Program.

Mr. Berman asked if the proposed cages will sink if a bird lands on them. Mr. Rossignol stated the cage will not support the weight of a bird and will sink if a bird attempts to roost.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** With no discussion, the motion carried. 4-0-0.

Request for Certificate of Compliance:

- 1) Applicant: Robert and Kim Bosco
File Number: SE7-1321
Representative: Self
10 Indian Trail, Sagamore Beach

Reconstruct a single-family dwelling and install a new septic system within 100 feet of a Wetland Resource Area.

Agent Comment – A site visit was performed on June 5, 2019. Mr. Haines recommended issuing the Certificate of Compliance.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded to grant the Certificate of Compliance.** The motion carried. 4-0-0.

Mr. Haines announced based on the old Order, Special Conditions 20 and 21 will be ongoing conditions.

2) Applicant: Robert and Kim Bosco
File Number: SE7-1363
Representative: Self
10 Indian Trail, Sagamore Beach

To construct a deck and perform landscaping work within 100 feet of a Wetland Resource Area.

Agent Comment – A site visit was performed. Mr. Haines recommended issuing the Certificate of Compliance with Special Condition 24 to be an ongoing condition.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded to grant the Certificate of Compliance.** The motion carried. 4-0-0.

► Update and possible vote on whether the Conservation Commission will allow a Notice of Intent to be filed on town own land at 0 Crab Rock Way – Mr. Haines provided an update on the filing. He provided the members with proposed conditions to review that he also forwarded them to Jack Vaccaro, the representative for the property owners. Mr. Haines stated Mr. Vaccaro requested the matter be continued to allow him to speak with the property owners regarding the agent's proposed conditions. After a brief discussion, it was decided to continue the matter to June 20, 2019.

► Vote to excuse absent members, if necessary – **Mr. Holmes moved, Mr. Ligor seconded to excuse the absent members.** The motion carried. 4-0-0.

► Acceptance of Previous Meeting Minutes – Chm. Gray entertained a motion to approve the minutes of the April 4, 2019 meeting. Mr. Haines noted a revision. **Mr. Ligor moved, Ms. Weston seconded to approve the minutes of the April 4, 2019 meeting as revised.** The motion carried. 4-0-0.

Chm. Gray entertained a motion to approve the minutes of the May 2, 2019 meeting. **Mr. Holmes moved, Mr. Ligor seconded to approve the minutes of the May 2, 2019.** The motion carried. 4-0-0.

► Report of the Conservation Agent – Mr. Haines noted the Comprehensive Dredge Permit filing will be addressed at the June 20, 2019 meeting.

► Public Comment Period on Non-Agenda Items – None.

▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

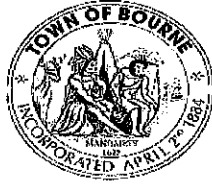
Mr. Ligor moved, Ms. Weston seconded to adjourn. The motion carried. 4-0-0. The meeting adjourned at 8:18 PM.

Minutes submitted by: Carol Mitchell

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2019 JUN 17 PM 12: 11

TOWN CLERK BOURNE



CONSERVATION COMMISSION AGENDA

Thursday, June 20, 2019 ~ 7 pm ~

Bourne Town Hall – Lower Conference Room

6:00PM – 6:45PM: Discussion with the Conservation Agent regarding the Bourne 10yr Comprehensive Dredge Permit.

The Bourne Conservation Agent and a representative from BSC group will be available in the lower conference room of Town Hall in the event that residents would like to ask questions about the dredge program or review plans prior to the opening of the meeting. A Quorum of the Commission will not be in session during this discussion.

7:00 Call to Open Public Meeting

Request for Determination

- 1) **Applicant:** Elizabeth Lefebvre **File Number:** CC19-19
Representative: Engineering Works, Inc.
Project Address: 8 Stackpole Circle, Gray Gables
Proposed Project: To upgrade septic system within an AE Flood zone.

- 2) **Applicant:** Town of Bourne **File Number:** CC19-20
Representative: Bourne Conservation Department
Project Address: The road shoulder of Shore Road adjacent to Redbrook Pond, Cataumet.
Proposed Project: To perform vista pruning/clearing within an AE Flood zone and within 100 feet of a wetland resource area.

- At the request of the Applicant this filing will be continued until July 11th, 2019

- 3) **Applicant:** Town of Bourne **File Number:** CC19-18
Representative: Bourne Conservation Department
Project Address: Along the road shoulder at 0 Shore Road adjacent to the Back River, Monument Beach
Proposed Project: To perform vista pruning within an AE Flood zone and within a 100 feet of a wetland resource area.
(Continued from June 6, 2019)

Notice of Intent:

- 1) **Applicant:** B. Paul Bushueff Jr. **DEP File Number:** SE7-2067
Representative: Wilkinson Ecological Design
Project Address: 15 Agawam Point Road, Gray Gables
Proposed Project: To install a reinforced high marsh pillow system within a V flood zone and within 100 feet within a wetland resource area

- 2) **Applicant:** Town of Bourne **DEP File Number:** SE7-20
Representative: Bourne Conservation Department
Project Address: Various locations throughout Bourne
Proposed Project: To perform a ten (10) year comprehensive dredge operation within an AE flood zone, V flood zone, a wetland resource area and within 200 foot Riverfront Area

REQUEST FOR CERTIFICATE OF COMPLIANCE:

- 1) **Applicant:** Gerald Goveia & Brenda Bagnell **DEP File Number:** SE7-1857
Representative: LEC Environmental Consultants, Inc.
Project Address: 45 Phillips Road, Sagamore Beach
Proposed Project: To install 4 rows of sand-filled envelopes, cover with cobble and sand, and vegetate with salt tolerant grasses and shrubs within a V flood Zone and within 100 feet of a wetland resource area.

- ▶ Update and possible vote on whether the Conservation Commission will allow a Notice of Intent to be filed on town owned land at 0 Crab Rock Way.
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

Conservation Commission Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

June 20, 2019

RECEIVED
2019 SEP 19 10:00:32
TOWN OF BOURNE

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on June 20, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo, Tom Ligor, Paul Szwed, Elise Leduc Melvin P. Holmes and Associate Member, Greg Berman.

Excused Members: Susan Weston.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Jim Mulvey, Matthew Creighton, Paul Mancuso, Helen Bresnahan, Wendy Scandurra, Bob Scandurra, Ida Little, Dwight Horton, Roberta Dwyer, Patrick Moran, Heather Moran, Barbara McGarry, Jim McGarry, Ron Matheson, Courtney Peloquin, Paul Bushuef, Patricia Cameron, Pete McEntee, Janice Nelson, Dan Nelson, William Ribich, Ted Walkey, Peter Kulberg, Jack Vaccaro, Seth Wilkinson, E. Connolly, Murphy O'Flaherty,

Beverly Adomaitis, Helen Bresnahan, Dennis George, John Norton, Frank Berkman, William Fox and Tom Guerino (9:05).

Chm. Gray changed the order of the agenda.

Notice of Intent:

2) Applicant: Town of Bourne

File Number: SE7-2052

Representative: Bourne Conservation Department

Various locations throughout Bourne.

To perform a ten (10) year comprehensive dredge operation within an AE Flood Zone, V Flood Zone, a Wetland Resource Area and within 200 feet of a Riverfront.

Materials Reviewed – Draft Order of Conditions, Dredge Plan, Guidance from Division of Marine Fisheries, Letter from The Natural Heritage and Endangered Species Program and DEP Wetlands Change Mapping.

Matt Creighton and Paul Mancuso addressed the members. Mr. Creighton explained he's been working with the Town on various dredge projects throughout the years. The goal of this request is to roll all of the individual dredge projects into one comprehensive dredge permit. He then explained the various phases for the proposed dredge sites.

Agent Comment – Mr. Haines explained that the comprehensive dredge permit will allow flexibility with scheduling dredging and beach nourishment of existing and expired permits. He stated over 630 abutters were notified of the public hearing and the plans have been available on the Conservation website for over two weeks. Mr. Haines discussed recommendations made by DMF in terms of the plan set. Additionally, Mr. Haines briefly discussed beach nourishment being proposed for Sagamore Beach, Monks Park and Squeteague Harbor Beach.

Board Comment – Mr. Berman stated he doesn't feel a comprehensive permit will have a higher adverse impact on the environment.

Mr. Holmes opened a brief discussion regarding the possibility of recycling some of the dredged material.

Mr. Szwed questioned the number of existing permits, whether there is a comprehensive plan for the nourishment, the target depth at each location and analysis on environmental impacts. A discussion ensued.

Ms. Leduc discussed monitoring future dredging and questioned how sand will be transported to each site for beach nourishment. She expressed concern over proposed beach nourishment at Monk's Park and adverse impacts it could cause to the Resource Areas there.

A brief discussion transpired regarding the need to perform eel grass and shellfish surveys prior to dredging.

Mr. Ligor thanked the representative for his comprehensive presentation.

Chm. Gray accepted public comment based on dredge site locations starting with Little Buttermilk, Buttermilk Bay and Cohasset Narrows.

Public Comment - Beverly Adomaitis asked if the dredged material will be redistributed. Mr. Creighton explained the dredging process and pinpointed on the map the location that the sand will be redistributed to once the dewatering process is completed. Ms. Adomaitis asked if the channel leading to the marina will be widened. Mr. Creighton stated there is no plan to widen the channel leading to the marina. Ms. Adomaitis expressed concern that dredged sand will be distributed on the beach located on her property. Mr. Creighton explained the dewatering site will be located on Electric Ave. Beach; which is a public beach.

Patrick Moran questioned whether the dredging of Buttermilk Bay is restricted to the channel only. Mr. Creighton explained all dredging will occur within the original permitted channels.

Barbara McGarry asked when the dredging of Buttermilk Bay will occur. Mr. Creighton explained that the area is being included in the permit but currently there isn't enough material to dredge.

Ron Matheson raised concern over adverse impacts on shellfish in the bay. Mr. Creighton explained that the Division of Marine Fisheries has placed time of year restrictions on when the dredging will be allowed.

Patricia Cameron asked when Buttermilk Bay was last dredged. Mr. Creighton stated Buttermilk was permitted in 2000 and thinks the dredging occurred shortly after that. Ms. Cameron asked whether sand can be redistributed in front of the seawall that is located on her property because she thinks the dredging caused the sand to erode from the front of the seawall. Mr. Creighton explained because this is a municipal project, the sand must be used to re-nourish a municipal property. A discussion ensued.

Dwight Horton asked whether any preliminary engineering of Queens Sewall Cove has been performed. Mr. Creighton stated because of the complexity of that area, no engineering was performed.

Jim Mulvey opened a discussion regarding the benefits of comprehensive permitting, impacts on public input and the current dredging schedule.

Chm. Gray asked for public comment regarding the proposed Sagamore Beach beach nourishment. There wasn't any public interest.

Chm. Gray accepted public comment regarding the proposed dredging for Gray Gables.

Roberta Dwyer asked when this area was last dredged. Mr. Creighton replied around 2006. A brief discussion transpired regarding historical dredging, previous beach nourishment and the staging of the work zone.

Chm. Gray asked for public comment regarding the Phinney's Harbor site. There wasn't any public interest.

Chm. Gray asked for public comment regarding the Pocasset River site.

Helen Bresnahan discussed the difficulty larger boats have navigating in this area. She asked what affect the dredging will have on the depth of the waterbed. Mr. Creighton referred to the map to pinpoint the proposed dredge site. A discussion ensued.

Ms. Bresnahan asked where the spoils that are dredged will be placed. Mr. Creighton stated because it is silt, the dredged material will be brought to the transfer station. A brief discussion transpired regarding the existing sand spit.

A brief discussion transpired regarding potential dewatering sites for the material dredged from the Pocasset River.

Dennis George questioned whether owner of floats, ramps and moorings located within the proposed dredge sites will have to perform any prep work. Mr. Creighton stated the harbor master will contact property owners with instructions once a schedule has been established. Mr. George asked if there are any plans to address a ridge that is located just beyond the jetties. Mr. Creighton stated there currently isn't a plan to perform improvement dredging, only maintenance dredging.

Murphy O'Flaherty opened a discussion regarding an existing submarine cable and water line that runs from Wings Neck to Bassett's Island.

Chm. Gray asked for public comment regarding the Pocasset Harbor, Redbrook Harbor, Hens Cove and Hospital Cove sites. There wasn't any public interest.

Chm. Gray asked for public comment regarding the Squeteague Harbor site.

John Norton asked if there's a public list of priority dredge sites. Mr. Haines stated the Shore and Harbor Committee sets the priorities and timelines. Paul Bushueff of the Shore and Harbor Committee explained how the committee determines dredging priorities.

Mr. Norton opened a brief discussion regarding public notification/input prior to the commencement of dredging.

Mr. Norton expressed concern that beach nourishment of Monks Park will change the habitat. After a brief discussion Mr. Haines stated he will leave it up to the Commission to decide whether they would like nourishment to occur at Monks Park.

Mr. Norton discussed previous beach nourishment that's occurred at Squeteague Harbor. He stated a slope of sand has been created and continues to grow as sand is replenished every year. He asked whether this area will be monitored with future nourishment. Mr. Haines stated possibly, but most likely not. He explained that there's a recreational balance. The purpose for maintaining the dredge channels is to maintain navigation and the purpose for nourishing the beaches is to maintain recreational beaches. If at some point he and the harbor master observe the surrounding area is being negatively impacted by beach nourishment, they will remove the site from the dredge permit and it will no longer be nourished. A discussion ensued.

With no additional public input, Chm. Gray entertained a motion to close the public hearing.

Mr. Holmes asked if the Commission has the ability to eliminate Monks Park from the permit. Ms. Leduc agreed. A brief discussion transpired regarding access to the site.

Mr. Mulvey asked if any deviation from the historic channels requires new permitting. Mr. Creighton stated that is correct.

Chm. Gray entertained a motion to remove Monks Park, all three lobes, of the beach nourishment from the comprehensive dredge permit plan. **Ms. Leduc moved, Mr. Ligor seconded to remove Monks Park, all three lobes, of the beach nourishment from the comprehensive dredge permit.** The motion carried. 5-0-0.

Chm. Gray entertained a motion to close the public hearing. **Mr. Ligor moved, Mr. Holmes seconded to close the public hearing.** The motion carried. 5-0-0.

Chm. Gray asked the agent if a draft Order of Conditions has been prepared. Mr. Haines stated he has prepared a draft with twenty-two Additional Special Conditions, which have been supplied in the members' packets. Essentially, they incorporate all of the DMF conditions, a few minor plan changes, all of the Natural Heritage and Endangered Species Program conditions and the Conservation's general conditions.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 3, 10, 12, 14, 15, 18, 26, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw numbers; 10, 11, 13 and twenty-one Additional Special Conditions required by the Natural Heritage and Endangered Species Program and by the Division of Marine Fisheries and ASC (22), no nourishment is allowed on the Monks Park Conservation area and a new plan set must be submitted to the Conservation Department.

After a brief discussion, **Ms. Leduc moved to add an Additional Special Condition, ASC (23), which requires all utilities associated with Wings Neck to Bassetts Island's be identified on the plan, Mr. Holmes seconded.** The motion carried. 5-0-0.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** With no discussion, the motion carried. 5-0-0

Request for Determination of Applicability:

Chm. Gray recused himself from discussion and vote. Mr. Palumbo chaired the hearing.

- 1) Applicant: Elizabeth Lefebvre
File Number: CC19-19
Representative: Engineering Works, Inc.
8 Stackpole Cir., Gray Gables

To upgrade a septic system within an AE Flood Zone.

Materials Reviewed – Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Peter McEntee addressed the members and discussed the proposed project.

Board Comment – None.

Agent Comment – Mr. Haines stated when he looked at the GIS, it appeared the house is within 200’ of a Riverfront Area. Mr. McEntee stated he is willing to reevaluate the wetland line and revise the plan if necessary.

Board Comment – Mr. Berman asked if septic upgrades are exempt from Riverfront standards. Mr. Haines discussed the layout of the property and stated this project meets the Riverfront standards for redevelopment.

Mr. Haines stated he has no issues with the proposed project. His only concern is the plan doesn’t depict the Riverfront Area. After a brief discussion, Mr. McEntee agreed to revise the plan.

Additional Board Comment – None.

Public Comment – None.

Mr. Palumbo entertained a motion. **Mr. Ligor moved, Mr. Holmes seconded a Negative Two Determination with the condition that a revised plan depicting the Riverfront Area be submitted.** The motion carried 4-0-0.

Chm. Gray returned to chair the meeting.

2) Applicant: Town of Bourne

File Number: CC19-20

Representative: Bourne Conservation Department

The road shoulder of Shore Road adjacent to Redbrook Pond, Cataumet.

To perform vista pruning/clearing within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

(At the request of the applicant this filing will be continued to July 11, 2019)

3) Applicant: Town of Bourne

File Number: CC19-18

Representative: Bourne Conservation Department

Along the road shoulder at 0 Shore Road adjacent to Back River, Monument Beach

To perform vista pruning within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Site Plan of Record, two Letters of Opposition and DEP Wetlands Change Mapping.

(Continued from June 6, 2019)

Agent Comment – Mr. Haines stated he has received public opinion expressing opposition of the proposed project. He explained the matter was previously continued to allow members of the Commission to perform a site visit.

Board Comment – Mr. Ligor spoke in favor of the proposed project. Mr. Berman and Mr. Holmes both feel vista pruning is appropriate at this site.

Chm. Gray discussed the variety of species located at the proposed site and suggested the project should focus on the removal of the invasive species and deemphasize the removal of Cedar trees that are healthy and thriving. He expressed support in opening the view shed.

Public Comment – A member of the public asked if public input will be allowed prior to the commencement of the pruning. Mr. Haines encouraged members of the public to meet him at the site to offer their input.

Bob Scandurra asked that the Cedar trees remain intact and proposed removing the other vegetation.

Ida Little likes the natural woody vegetation that has grown in stating it acts as a sound barrier when on the water. It also serves as wildlife habitat.

Chm. Gray feels a consensus can be reached once the public meets with the agent at the site.

Ms. Leduc asked that the agent wait until birds fledge before beginning the proposed project. Mr. Haines stated he will resurvey the area for nesting bird habitat prior to starting.

Chm. Gray entertained a motion. **Mr. Palumbo moved, Mr. Holmes seconded a Negative Two Determination.** The motion carried. 5-0-0.

Chm. Gray explained the determination to the public.

Chm. Gray asked for public input on the project that was proposed on the road shoulder on Shore Road adjacent to Redbrook Pond. There wasn't any public input. The matter was continued to July 11, 2019.

Notice of Intent:

1) Applicant: B. Paul Bushueff Jr.
File Number: SE7-2067
Representative: Wilkinson Ecological Design
15 Agawam Point Rd., Gray Gables

To install a reinforced high marsh pillow system within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Revised Site Plan of Record, Tide Data, and DEP Wetlands Change Mapping.

Paul Bushueff and Seth Wilkinson addressed the members and discussed the proposed project.

Board Comment – None.

Agent Comment – Mr. Haines expressed support of the proposed project. He discussed a concern that has since been resolved on the revised plan regarding coastal dune that was originally classified as beach grass. Mr. Haines also expressed concern over the proposed planting approach based on his observation of the scour and rack line. The wetland is within a wetland restriction, 326R. It is his interpretation that the dune stabilization is allowed under Section G of this, but the construction of a saltmarsh where there was no previous saltmarsh is a gray area. Mr. Haines has contacted DEP for guidance.

Chm. Gray discussed additional complications.

A brief discussion transpired regarding performance standards for a coastal beach.

Chm. Gray suggested continuing the matter pending input from DEP.

Paul Bushueff added to the agent's discussion regarding the rack line he observed.

Mr. Berman questioned whether the existing cement structure will be removed. Mr. Bushueff stated that used to be a boat house and thinks it should be removed. Mr. Wilkinson agreed. Mr. Berman questioned the durability of the core because of its proposed location.

Public Comment – None.

Chm. Gray entertained a motion to continue the matter at the request of the applicant. **Mr. Ligor moved, Mr. Palumbo seconded to continue the matter to July 11, 2019.** The motion carried. 5-0-0.

Chm. Gray changed the order of the agenda.

► Update and possible vote on whether the Conservation Commission will allow a Notice of Intent to be filed on town own land at 0 Crab Rock Way –

Materials Reviewed -

Jack Vaccaro addressed the members and provided a brief update since he last met with the Commission. He stated that the Select Board recently approved the homeowner's request to move forward with filing a Notice of Intent with the Commission and has made changes to the proposal based on conversations he has had via email with the agent.

Agent Comment – Mr. Haines discussed changes that were made to the soft solution language and other revisions made to proposed conditions. At this point, the Commission may take a vote whether to allow the filing for a Notice of Intent (NOI) with or without conditions or deny the request.

A brief discussion transpired regarding the proposed conditions the agent drafted based on conversations he had with the representative. Mr. Haines clarified that the Commission may add to the draft list of conditions or revise them.

Board Comment – Mr. Berman asked if the proposed conditions will impact any additional conditions that may be imposed on the NOI. Mr. Haines indicated no, these are conditions are only for this filing. They wouldn't impact the actual Order of Conditions.

Ms. Leduc thought the proposal addressed a lot of the Commission's concerns. She asked how the amount of a performance bond will be determined. Mr. Haines stated town staff will have to be involved and possible third party review. Ms. Leduc asked if by moving forward, the applicants agree that a performance bond will have to be in place even though a dollar amount has not yet been determined. Mr. Haines agreed. A discussion ensued.

Chm. Gray discussed the previous filing and wished an agreement could have been made then rather than having to start the process over. Mr. Palumbo is looking forward to a fresh start.

Chm. Gray entertained a motion. **Mr. Ligor moved to permit the project at 0 Crab Rock Way to move forward with filing a Notice of Intent with the conditions presented by the agent. Mr. Palumbo seconded.** The motion carried. 5-0-0.

Request for Certificate of Compliance

- 1) Applicant: Gerald Goveia & Brenda Bagnell
File Number: SE7-1857
Representative: LEC Environmental Consultants, Inc.
45 Phillips Rd., Sagamore Beach

To install 4 rows of sand-filled envelopes, cover with cobble and sand and vegetate with salt tolerant grasses and shrubs within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Agent Comment – A site visit was performed earlier that day. Mr. Haines recommended issuing the Certificate of Compliance.

Chm. Gray entertained a motion. **Ms. Leduc moved, Mr. Ligor seconded to grant the Certificate of Compliance.** The motion carried. 5-0-0.

- ▶ Vote to excuse absent members, if necessary – **Mr. Ligor moved, Mr. Palumbo seconded to excuse the absent members.** The motion carried. 5-0-0.
- ▶ Acceptance of Previous Meeting Minutes – Chm. Gray entertained a motion to approve the minutes of the May 16, 2019 meeting. Mr. Haines noted a revision. **Mr. Ligor moved, Mr. Holmes seconded to approve the minutes of the meeting as revised.** The motion carried. 5-0-0.
- ▶ Report of the Conservation Agent – Mr. Haines announced there are reappointments that need to be addressed. Ms. Leduc, Mr. Szwed and Mr. Berman must be reappointed.
- ▶ Public Comment Period on Non-Agenda Items – Mr. Guerino commended the board for their credibility and expressed his appreciation for their efforts. Chm. Gray thanked the town administrator for his kind words and wished him well with his future endeavors.
- ▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Mr. Palumbo moved, Ms. Leduc seconded to adjourn. The motion carried. 5-0-0.
The meeting adjourned at 9:47 PM.

Conservation Commission

Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

July 11, 2019

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on July 11, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo, Tom Ligor, Susan Weston, Elise Leduc and Associate Member, Greg Berman.

Excused Members: Paul Szwed and Melvin P. Holmes.

Also Present: Sam Haines, Carol Mitchell, Ann Wheelin, Jim Wheelin, Paul Gately, Sean McCahill, Dianne McCahill, Charlotte Green, Tom Bunker, Jim Mulvey, Alexander Joyce, William Fallon, William Ribich, Bob Bishop, Bill Fallon, Crystal Ribich, Nick Byrne and Peter Lewitt.

Request for Determination of Applicability:

1) Applicant: Charlotte Green
File Number: CC19-21
Representative: Same
9 Observatory Lane, Pocasset

To install an above ground fire pit, cobblestone seating and some landscaping within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Revised Site Plan of Record, Subdivision Plan and DEP Wetlands Change Mapping.

Charlotte Green addressed the members. She distributed a revised plan with an adjustment to the setback because the agent brought to her attention that the town owns the first thirty feet of land from the pond. She then discussed the proposed project.

Agent Comment – Mr. Haines performed a site visit and observed that the property owner had been performing landscaping prior to receiving Conservation approval. She stopped work immediately and came forward with the filing. The agent mentioned the prior owner had performed some tree clearing under an administrative approval. Mr. Haines suggested BMPs, in the form of straw wattles, be installed at the limit of work because there is a slope upgradient of it. He also suggested requiring a thirty-foot setback from the edge of the pond. As long as those conditions are met, he doesn't have any issues with the project.

Board Comment – Ms. Leduc asked whether any additional tree cutting or shrub removal is being proposed. Ms. Green indicated no.

A brief discussion transpired regarding the retaining wall the applicant would like to install.

Mr. Berman asked whether any work has been performed inside the thirty-foot buffer. Mr. Haines replied there was; however, regrowth has already begun. Mr. Haines mentioned there is an existing sitting area further down on the property. Ms. Green said the sitting area was existing when she purchased the home and until the agent informed her of the thirty-foot setback, it was her understanding, based on information she received from the real estate agent, that her property ran all the way to the water line.

Mr. Ligor asked for the size of the proposed fire pit. Ms. Green stated it will be approximately 3' x 1'. Mr. Ligor expressed concern that embers will escape from the fire pit causing a fire. Ms. Green stated she is willing to install a screen over the pit to prevent embers from escaping. Mr. Haines suggested leaving fire prevention to the fire department. Ms. Green assured Mr. Ligor that the fire will never be left unattended.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Palumbo moved, Mr. Ligor seconded a Negative Two Determination with conditions.** The motion carried. 4-0-0.

Chm. Gray explained the determination to the applicant.

2) Applicant: Town of Bourne

File Number: CC19-20

Representative: Bourne Conservation Department

The road shoulder of Shore Road adjacent to Redbrook Pond, Cataumet.

To perform vista pruning/clearing within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

(Continued from June 20, 2019)

Mr. Haines explained he flagged the proposed location along the edge of the pond to create a vista window. He thinks it is feasible to maintain the vegetation at a height of three feet after the initial cutting. There is no excavating or grubbing being proposed. Mr. Haines also flagged an area near the herring run; however, he may limit that to maintain shade over the run and it may also change based on public input.

Board Comment – Ms. Leduc asked whether each flag represents a tree or an entire area proposed to be cleared. Mr. Haines explained each flag represents one tree being proposed for removal. The remaining shrubs will be mowed to a height of three feet.

Chm. Gray excused himself from the meeting (7:16). Mr. Palumbo chaired the hearing.

A brief discussion transpired regarding the cutting methodology.

Mr. Berman opened a discussion regarding the species of trees that are proposed to be removed. They consist of Maples, Oaks and one Willow tree.

Ms. Leduc asked if the goal is to mow the vegetation annually to maintain the height of three feet. Mr. Haines stated that is the goal.

Public Comment – Sean McCahill addressed the members. He discussed safety concerns he has when leaving his property and expressed support for the project.

Jim Wheeler spoke of safety concerns he has because of overgrown vegetation.

Alexander Joyce provided history on the herring run. He encouraged the Commission to restore the run to previous conditions as he feels it is a great resource to the town. Mr. Haines said if the proposed project is approved, he will seek the DNR director's input regarding restoring the herring run. Mr. Joyce stated he will supply historical photographs to the agent as a reference.

Mr. Palumbo entertained a motion. **Mr. Ligor moved, Ms. Leduc seconded a Negative Two Determination.** The motion carried 4-0-0.

Abbreviated Notice of Resource Area Delineation:

- 1) Applicant: Alexander Joyce
File Number: SE7-
Representative: Marsh Matters Env.
200 Eel Pond Road, Bourne

Resource Area Delineation.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Alexander Joyce stated a file number has not yet been issued by DEP. He briefly discussed feedback he received from the agent regarding the Coastal Bank that is located on his property and requested the members conduct an on-site inspection of his property prior to the next hearing.

Mr. Haines will contact the members via email to schedule an on-site visit.

Mr. Palumbo stated the matter will be continued to August 1, 2019, at the request of the applicant.

Chm. Gray returned to the meeting (7:27). Mr. Palumbo continued as chair.

Notice of Intent:

- 1) Applicant: B. Paul Bushueff Jr.
File Number: SE7-2067
Representative: Wilkinson Ecological Design
15 Agawam Point Rd., Gray Gables

To install a reinforced high marsh pillow system within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Revised Site Plan of Record, Tide Data, and DEP Wetlands Change Mapping.

(Continued from June 20, 2019)

Agent Comment – Mr. Haines summarized the proposed project and explained revisions that were made in order to meet performance standards. He commented that the applicant is looking to replace the existing concrete platform with an elevated wooden structure. Mr. Bushueff elaborated. Mr. Haines discussed conditioning the Order as such; the proposed structure must stay within the existing square footage, construction details must be submitted to and approved by the Conservation agent prior to construction and appropriate deck spacing must be incorporated into the design.

Mr. Haines expressed support of the project stating he is excited to see the outcome. He hopes similar projects will be performed throughout the community.

Board Comment – Ms. Leduc questioned whether a monitoring plan has been established. A brief discussion transpired regarding the re-nourishment plan. Ms. Leduc also expressed support of the proposed project.

Mr. Berman is pleased the concrete platform is proposed to be removed. He suggested conditioning the Order prohibiting the installation of a CES in the future to protect the proposed elevated wooden platform. Mr. Haines agreed.

Public Comment – None.

Mr. Palumbo entertained a motion to close the public hearing. **Mr. Gray moved, Ms. Leduc seconded.** The motion carried. 5-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 7, 8, 10, 11, 12, 15, 18, 19, 20, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4, 24 and the following Additional Special Conditions; ASC (1) any damage to the Coastal Dune must be immediately repaired with clean compatible sediment and replanted with American beach grass upon completion of the construction. No mowing of the Coastal Dune vegetation is permitted, ASC (2) proposed nourishment cover material must consist of clean soil compatible with existing substrate, ASC (3) identification tags are required to be attached to each coir roll to ensure proper disposal if the rolls are dislodged from the site. The applicant is responsible for recovering dislodged coir rolls so that they do not become floating debris, ASC (4) this Order does not allow

for the use of non-biodegradable geotextile fabric in the coir rolls and all fabric materials used in the construction must be biodegradable, ASC (5) all cobble material must be less than 10" in diameter and should be sized appropriately based on the existing cobble material on the beach, ASC (6) the proposed elevated deck and ramp must be constructed within the square footage of the existing concrete pad. A construction detail must be provided to the Conservation Department and approved by its agent prior to construction, ASC (7) no Coastal Engineering Structure to protect the elevated deck will be allowed in perpetuity.

Chm. Gray suggested excluding the square footage of the proposed ramp from the square footage of the elevated deck since a ramp will be needed to access the deck in lieu of stairs. Mr. Haines agreed.

Mr. Palumbo entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Gray moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried, 4-0-0.

Request to Amend an Existing Order of Conditions:

- 1) Applicant: Tara R. Greco
File Number: SE7-2057
Representative: BSS Design, Inc.
1 Maple Avenue, Cataumet

To amend the Order of Conditions to include reducing number of bedrooms, septic system and various landscaping within an AE Flood Zone and within 100 Feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

Tom Bunker explained he was before the Commission in March for a Notice of Intent to construct a house on the property. The project was approved by the Commission; however, it was denied by the Board of Health for several reasons including the nitrogen loading calculation. In order to reduce the nitrogen load, the proposed number of bedrooms will be reduced from three to two and the size of the proposed lawn area will also be reduced. Mr. Bunker then discussed revisions made to the proposed project.

Board Comment – None.

Agent Comment – Mr. Haines explained he typically would have administratively approved the revisions; however, due to the amount of public interest surrounding this project, all involved parties thought it best to go through the full administrative approval process. Mr. Haines stated additional mitigation is being proposed to compensate for the house being moved closer to the Resource Area, so he feels the project still meets all of the performance standards of the Act and the bylaw. He said he doesn't have an issue with the path that is proposed to run into the wetland and off the property as long as it remains permeable and doesn't cause adverse impacts to the Resource Area.

Board Comment – Mr. Berman asked whether the buffer zone will be demarcated. Mr. Haines stated it isn't proposed to be demarcated but a condition may be added to the amended Order requiring it be marked.

Public Comment – William Ribich expressed concern that moving the proposed structure closer to the Resource Area will adversely impact an already sensitive area.

Peter Lewitt asked whether the project will be monitored to ensure the conditions are met. Mr. Palumbo explained the monitoring process. Mr. Haines mentioned that a deed restriction is placed on the property and recorded at the Registry of Deeds and won't be released until a Certificate of Compliance has been issued. He explained that an Order of Conditions is valid for a period of three years unless the applicant requests an extension. The applicant would also be required to appear before the Commission prior to making any changes to what's been approved.

A brief discussion transpired regarding a monitoring plan for the proposed plantings.

Bob Bishop asked for additional information on the three year time limit on the Order of Conditions.

Bill Fallon opened a brief discussion regarding the efficiency of the proposed septic system. He expressed concern over the amount of effluent that may be discharged into the harbor. Mr. Palumbo informed Mr. Fallon that the Board of Health approved the proposed system. Mr. Haines stated the proposed system is a more advanced system that will require more maintenance and more monitoring than a typical Title V system. Mr. Bunker elaborated further.

Mr. Ribich questioned whether a restriction on the use of fertilizer will be implemented. Mr. Haines explained there will not be any fertilizer restrictions placed on the lawn area.

However, the entire fifty-foot buffer must remain naturalized and the shrubs may be maintained at a height of three feet. A discussion ensued.

Additional discussion transpired regarding the proposed septic system.

Mr. Palumbo entertained a motion to close the public hearing. Mr. Gray moved, Mr. Ligor seconded to close the public hearing. The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 24, 25, 26, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 1, 2, 3, 4, 9 and the following Additional Special Conditions; ASC (1) the naturalized vegetation mitigation area as shown on the plan of record must consist of native plantings and shall remain in place in perpetuity. All plants must be allowed to grow to maturity before pruning and maintained at a minimum height of at least three feet in height. All plantings will be monitored for a minimum of two growing seasons and any plants that do not survive must be replaced, ASC (2) the path through the naturalized buffer may be mowed but must remain permeable in perpetuity. The Order does not allow for the maintenance of any pathway off the property. Any mowing or alteration of the saltmarsh will result in immediate enforcement, ASC (3) The naturalized area must be delineated with a split rail fence or other barrier to ensure the area does not become or maintained as lawn.

Ms. Leduc questioned whether the second naturalized buffer area on the property must also consist of native plantings. After a brief discussion, Mr. Haines revised ASC (1) to state; the thirty foot mitigation area must consist of native plantings and the twenty foot mitigation area must consist of non-invasive meadow species to be mowed seasonally.

Ms. Weston asked whether a condition requiring a planting plan be submitted could be added to the Order. Mr. Haines stated that requirement was already a condition under the Order.

Mr. Palumbo entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. Mr. Bunker asked whether the meadow could contain shrubs that do not require mowing. Mr. Haines stated that would be acceptable. **Ms. Leduc moved, Mr. Ligor seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

2) Applicant: Darrell McLaughlin
File Number: SE7-2049
Representative: Landscape by Runey, Inc.
81 Phillips Road, Sagamore Beach

To amend the Order of Conditions to include controlling / eradicating existing invasive species and to restore the area within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to August 1, 2019)

► Vote to excuse absent members, if necessary – **Mr. Gray moved, Ms. Leduc seconded to excuse the absent members.** The motion carried. 4-0-0.

► Acceptance of Previous Meeting Minutes – Mr. Palumbo entertained a motion to approve the minutes of the June 6, 2019 meeting. After a brief discussion, **Mr. Ligor moved, Mr. Gray seconded to approve the minutes of the June 6, 2019 meeting as revised.** The motion carried. 4-0-0.

► Report of the Conservation Agent – Mr. Haines briefly discussed the new MACC Wetlands / Buffer Zone guidebook that was recently released.

Mr. Haines thanked Paul Russo for helping to maintain the trails in the Carter Beal Conservation Area.

Mr. Haines discussed renaming some of the trails located at Four Ponds Conservation Area. In particular, the Lions and Eagle trails. Mr. Gray provided history on the Lion's trail name. Mr. Haines discussed the need to remap the trails and possibly redesigning the Town Forest trail to make it wider and more level. A brief discussion transpired regarding potential trail names.

Next, Mr. Haines discussed a call he received from a Plymouth resident complaining about paragliders landing on the bluff at Sagamore Highlands. He stated it is a popular paragliding spot and occasionally paragliders do hit the bluff. He submitted photographs of the gliders for the members to review. Mr. Haines said he will contact the organizer, New England Paragliding and Hang Gliding Club to inform them of the complaint and that the Commission is considering prohibiting hang gliding in the area. A brief discussion transpired regarding the complaint that was received.

Lastly, Mr. Haines asked the members to consider whether they want to submit bylaw revisions at the Fall Town Meeting.

▶ Public Comment Period on Non-Agenda Items – None.

▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Ms. Leduc moved, Ms. Weston seconded to adjourn. The motion carried. 4-0-0. The meeting adjourned at 8:20 PM.

Minutes submitted by: Carol Mitchell



CONSERVATION COMMISSION AGENDA
Thursday, July 11, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

2019 JUL -8 PM12:09
TOWN OF BOURNE
MASSACHUSETTS

7:00 Request for Determination

- 1) **Applicant:** Charlotte Green **File Number:** CC19-21
Representative: Same
Project Address: 9 Observatory Lane, Pocasset
Proposed Project: To install an above ground fire pit, cobblestone seating, and some landscaping within a 100 ft. of a wetland resource area.

- 2) **Applicant:** Town of Bourne **File Number:** CC19-20
Representative: Bourne Conservation Department
Project Address: Shore Road adjacent to Redbrook Pond, Cataumet.
Proposed Project: To perform vista pruning/clearing within an AE Flood zone and within 100 feet of a wetland resource area.
(Continued from June 20, 2019)

Abbreviated Notice of Resource Area Delineation:

- 1) **Applicant:** Alexander Joyce **DEP File Number:** SE7-
Representative: Marsh Matters Env.
Project Address: 200 Eel Pond Road, Bourne
Proposed Project: Resource Area Delineation

Notice of Intent:

- 1) **Applicant:** B. Paul Bushueff Jr. **DEP File Number:** SE7-2067
Representative: Wilkinson Ecological Design
Project Address: 15 Agawam Point Road, Gray Gables
Proposed Project: To install a reinforced high marsh pillow system within a V flood zone and within 100 feet within a wetland resource area
(Continued from June 20, 2019)

Request to Amend an Existing Order of Conditions:

- 1) **Applicant:** Tara R. Greco **DEP File Number:** SE7-2057
Representative: BSS Design, Inc.
Project Address: 1 Maple Avenue, Cataumet
Proposed Project: To amend the Order of Conditions to include reducing number of bedrooms, septic system and various landscaping within an AE flood zone and within 100 feet of a wetland resource area.

- 2) **Applicant:** Darrell McLaughlin **DEP File Number:** SE7-2049
Representative: Landscape by Runey, Inc.
Project Address: 81 Phillips Road, Sagamore Beach
Proposed Project: To amend the Order of Conditions to include controlling/eradicating existing invasive species and to restore the area within a V Flood zone and within a 100 feet of a wetland resource area.
(Continued to August 1, 2019)

- ▶ Vote -- Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

RECEIVED

2019 JUL 29 PM 3:57

TOWN CLERK BOURNE



CONSERVATION COMMISSION AGENDA
Thursday, August 1, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** Rae Ann McLanahan **File Number:** CC19-22
Representative: JC Engineering, Inc.
Project Address: 15 Wyman Ave, Monument Beach
Proposed Project: To install a new Title 5 Septic System within an AE Flood Zone

- 2) **Applicant:** Donald M. Rhodes **File Number:** CC19-23
Representative: Bracken Engineering
Project Address: 58 Wings Neck Road, Pocasset
Proposed Project: To install a new Title 5 Septic System within an AE Flood Zone and within a 100 feet of a wetland resource area

- 3) **Applicant:** Suzanne Ball **File Number:** CC19-24
Representative: Bracken Engineering
Project Address: 284 Scraggy Neck Road, Cataumet
Proposed Project: To install a new Innovative/Alternative Septic System within a 100 feet of a wetland resource area

Abbreviated Notice of Resource Area Delineation:

- 1) **Applicant:** Alexander Joyce **DEP File Number:** SE7-2068
Representative: Marsh Matters Environmental
Project Address: 200 Eel Pond Road, Monument Beach
Proposed Project: Resource Area Delineation
(Continued to August 1, 2019)

Request to Amend an Existing Order of Conditions:

- 1) **Applicant:** Darrell McLaughlin **DEP File Number:** SE7-2049
Representative: Landscape by Runey, Inc.
Project Address: 81 Phillips Road, Sagamore Beach
Proposed Project: To amend the Order of Conditions to include controlling/eradicating existing invasive species and to restore the area within a V Flood zone and within a 100 feet of a wetland resource area.
(Continued to August 1, 2019)

REQUEST FOR CERTIFICATE OF COMPLIANCE:

- 1) **Applicant:** Kristen Roper Coan **DEP File Number:** SE7-2023
Representative: Bracken Engineering
Project Address: 15 Lamont Rd, Gray Gables
Proposed Project: To raze and rebuild a single family dwelling including landscaping, grading, utilities, and appurtenances within an AE Flood Zone
- 2) **Applicant:** Donald W. Jones Jr. of N & N Cottage LLC
DEP File Number: SE7-1985
Representative: David MacLean & Associates
Project Address: 36 Baxendale Rd. Cataumet
Proposed Project: To repair, restore and slightly modify existing boat house and to remove invasive vegetation and revegetate with native species within a V flood zone and within a wetland resource area
- 3) **Applicant:** Lori Spihaus **DEP File Number:** SE7-1863
Representative: Stephen J Doyle Associates
Project Address: 49 Rocky Point Rd, Gray Gables
Proposed Project: To construct a single family dwelling, attached barn, subsurface sewage system and appurtenant utilities with in an AE Flood Zone
- 4) **Applicant:** Lori Spihaus **DEP File Number:** SE7-1871
Representative: Stephen J Doyle Associates
Project Address: 49 Rocky Point Rd, Gray Gables
Proposed Project: Vegetation removal for proposed pasture use and driveway construction within an AE Flood Zone and 100 feet of a wetland resource area

- ▶ Administrative Approval – Stormwater washout off Shipyard Lane.
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

**Conservation Commission
Meeting Minutes**

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

August 1, 2019

RECEIVED
2019 DEC -9 AM 8:45
TOWN CLERK BOURNE

I. Call to order

Mr. Palumbo called to order the meeting of the Conservation Commission at 7:00 PM on August 1, 2019. Mr. Palumbo explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Mr. Palumbo addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Rob Palumbo, Tom Ligor, Elise Leduc, Paul Szwed and Associate Member, Greg Berman.

Excused Members: Robert Gray, Susan Weston and Melvin P. Holmes.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Larry Runey, Michael Pimentel, Robert Dewar, Alexander Joyce and Mike Ball.

Request for Determination of Applicability:

- 1) Applicant: Rae Ann McLanahan
File Number: CC19-22
Representative: JC Engineering, Inc.

15 Wyman Ave., Monument Beach

To install a new Title 5 Septic System within an AE Flood Zone.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Mike Pimentel addressed the members. He discussed the existing conditions and described the proposed project.

Agent Comment – Mr. Haines stated this is a straightforward project and has no issues with the project as proposed.

Board Comment – None.

Public Comment – None.

Mr. Palumbo entertained a motion. **Mr. Ligor moved, Ms. Leduc seconded a Negative Two Determination.** The motion carried. 3-0-0.

2) Applicant: Donald M. Rhodes

File Number: CC19-23

Representative: Bracken Engineering

58 Wings Neck Road, Pocasset

To install a new Title 5 Septic System within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Robert Dewar addressed the members and described the proposed project.

Agent Comment – Mr. Haines stated this is a flat site and although he doesn't have concerns about the site itself, he suggested conditioning the Determination requiring daily inspection and sweeping of the road to prevent sediment from entering the waterways.

Board Comment – Mr. Ligor asked if the agent wants that suggested condition included in the motion. Mr. Haines indicated he would like the members to consider that condition.

Public Comment – None.

Mr. Palumbo entertained a motion. **Mr. Ligor moved, Ms. Leduc seconded a Negative Two Determination with the condition that the road is continually swept until the project is complete.** The motion carried. 3-0-0.

3) Applicant: Suzanne Ball
File Number: CC19-24
Representative: Bracken Engineering
284 Scraggy Neck Road, Cataumet

To install a new Innovative /Alternative Septic System within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Robert Dewar described the property's proximity to the Resource Areas and explained the proposed project.

Board Comment – Mr. Ligor asked whether the denitrification tank is what makes the proposed system innovative. Mr. Dewar stated both the field and tank are considered innovative technologies; however, only the tank offers denitrification credit.

Mr. Ligor asked whether this type of tank has been frequently installed. Mr. Dewar stated this system is commonly installed within coastal areas.

Agent Comment – Mr. Haines indicated the proposed project is located within the existing driveway, on a level area. He has no issues with the project as proposed.

Additional Board Comment – None.

Public Comment – None.

Mr. Palumbo entertained a motion. **Mr. Ligor moved, Ms. Leduc seconded a Negative Two Determination.** The motion carried 3-0-0.

Abbreviated Notice of Resource Area Delineation:

1) Applicant: Alexander Joyce
File Number: SE7-2068
Representative: Marsh Matters Environmental
200 Eel Pond Road, Bourne

Resource Area Delineation.

Materials Reviewed - Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

Mike Ball, representing the applicant, stated they are not proposing any work, they are seeking Resource Area boundary approval for this site.

Agent Comment – Mr. Haines explained the filing was continued due to a disagreement on the Coastal Bank delineation. During his initial site visit, the agent identified more primary Coastal Bank on the property than was shown on the original plan. He also identified a secondary Coastal Bank that appeared to be the result of foundation spoils immediately around the house. A second site visit was performed with Mr. Szwed and Mr. Berman on July 25, 2019. Mr. Haines discussed his opinion that the secondary Coastal Bank is fragmented and doesn't afford sufficient storm damage protection to be jurisdictional under the Act. A revised plan has been submitted which shows only the area identified as jurisdictional primary Coastal Bank and does not include the secondary Bank based on the agent's assessment. He will leave it up to the Commission to determine whether the secondary area is jurisdictional, whether it supplies sufficient storm damage prevention for it to be considered jurisdictional under the Act and whether to accept the delineation, which is valid for three years. Any future work will be based on this delineation.

Alexander Joyce provided history on the property, he explained the purpose of the filing and discussed future renovations he would like to perform at the site.

Board Comment – Mr. Berman discussed the site visit he performed stating it is his opinion that the section of the secondary Bank in question is not a sediment source. If anything, he thinks it might be a vertical buffer to storm damage. However, water doesn't come from that side so it's probably not a vertical buffer either. Mr. Szwed agreed.

Ms. Leduc asked that an after the fact revised plan be submitted that accurately depicts the delineation of the upland edge of the saltmarsh and the bottom of the primary Coastal Bank. She read the definition of a Coastal Bank from the regulations and after a brief discussion, the representative agreed.

Public Comment – None.

Mr. Palumbo entertained a motion. **Ms. Leduc moved, Mr. Ligor seconded to approve the Resource Area delineation pending the submission of a revised plan.** The motion carried. 3-0-0.

Request to Amend an Existing Order of Conditions:

1) Applicant: Darrell McLaughlin
File Number: SE7-2049
Representative: Landscape by Runey, Inc.
81 Phillips Road, Sagamore

To amend the Order of Conditions to include controlling/eradicating existing invasive species and to restore the area within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

Larry Runey, a certified invasive species specialist, addressed the members and discussed the proposed methodology to control/eradicate the invasive species that is growing on the property. He also discussed possible plantings to revegetate the site.

Agent Comment – Mr. Haines stated the property is inundated with invasive species. He felt that the original plan wasn't specific enough for him to draft an Order of Conditions so he asked that an updated plan be submitted. He mentioned a previous violation occurred when the property owner constructed a set of stairs leading from his property onto town own land. Those stairs were removed; however, Mr. Haines wanted the revised plan to clearly define what is town owned land vs. private property.

Mr. Haines recommended the following conditions; the herbicide application must be performed by a licensed applicator, herbicide must be applied directly to the cut stem of the invasive plant, no foliar spraying of herbicide is permitted under this Order and this permit does not allow for any work to be performed on Town of Bourne property.

Ms. Leduc asked which species of invasives are growing on the property. Mr. Haines stated it is primarily Bittersweet, there's also Honeysuckle and Tree of Heaven.

Mr. Berman asked whether Rosa rugosa will be planted. Mr. Haines stated he will allow a limited amount of Rosa rugosa to be planted where it currently exists.

Public Comment – None.

Mr. Palumbo entertained a motion to close the public hearing. **Ms. Leduc moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 3-0-0.

Mr. Haines stated the Draft Order contains all of the requirements from the original Order of Conditions in addition to the two requirements previously stated and the amendments to the Order.

Mr. Palumbo entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 3-0-0.

Request for Certificate of Compliance:

1) Applicant: Kristen Roper Coan
File Number: SE7-2023
Representative: Bracken Engineering
15 Lamont Road, Gray Gables

To raze and rebuild a single-family dwelling including landscaping, grading, utilities and appurtenances within an AE Flood Zone.
Order.

Agent Comment - A site visit was performed on July 30, 2019. Mr. Haines recommended issuing the Certificate of Compliance.

Mr. Palumbo entertained a motion. **Ms. Leduc moved, Mr. Ligor seconded to grant the Certificate of Compliance.** The motion carried. 3-0-0.

2) Applicant: Donald W. Jones Jr. of N & N Cottage LLC
File Number: SE7-1985
Representative: David MacLean & Associates
36 Baxendale Road, Cataumet

To repair, restore and slightly modify existing boat house and to remove invasive vegetation and revegetate with native species within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Agent Comment - A site visit was performed on July 30, 2019. Mr. Haines recommended issuing the Certificate of Compliance.

Mr. Palumbo entertained a motion. **Mr. Ligor moved, Ms. Leduc seconded to grant the Certificate of Compliance.** The motion carried. 3-0-0.

3) Applicant: Lori Spihaus
File Number: SE7-1863
Representative: Stephen J. Doyle Associates
49 Rocky Point Road, Gray Gables

To construct a single-family dwelling, attached barn, subsurface sewage system and appurtenant utilities within an AE Flood Zone.

Agent Comment - A site visit was performed on July 30, 2019. Mr. Haines recommended issuing the Certificate of Compliance.

Mr. Palumbo entertained a motion. **Ms. Leduc moved, Mr. Szwed seconded to grant the Certificate of Compliance.** The motion carried. 3-0-0.

4) Applicant: Lori Spihaus

File Number: SE7-1871

Representative: Stephen J. Doyle Associates
49 Rocky Point Road, Gray Gables

Vegetation removal for proposed pasture use and driveway construction within an AE Flood Zone and 100 feet of a Wetland Resource Area.

Agent Comment - A site visit was performed on July 30, 2019. Mr. Haines recommended issuing the Certificate of Compliance.

Board Comment – Ms. Leduc asked whether the pasture is something the applicant wanted or was it to serve as mitigation. Mr. Haines explained this was a wooded area that the property owner wanted as pasture.

Mr. Palumbo entertained a motion. **Ms. Leduc moved, Mr. Ligor seconded to grant the Certificate of Compliance.** The motion carried. 3-0-0.

▶ Administrative approval – Stormwater washout off Shipyard Lane – Mr. Haines explained that a recent storm caused significant washout. The existing revetment washed into the boat basin so the agent issued an emergency administrative approval to address the matter. After a brief discussion, the members decided an after the fact filing would not be necessary.

▶ Vote to excuse absent members, if necessary – **Ms. Leduc moved, Mr. Szwed seconded to excuse the absent members.** The motion carried. 3-0-0.

▶ Acceptance of Previous Meeting Minutes – None.

▶ Report of the Conservation Agent – Mr. Haines announced the Pan-Mass Challenge would be taking place that upcoming weekend.

▶ Public Comment Period on Non-Agenda Items – None.

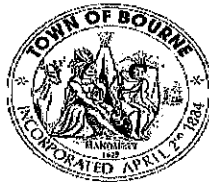
▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Ms. Leduc moved, Mr. Ligor seconded to adjourn. The motion carried, 3-0-0. The meeting adjourned at 7:43 PM.

Minutes submitted by: Carol Mitchell



RECEIVED

2019 AUG 13 AM 9:25

TOWN CLERK BOURNE

CONSERVATION COMMISSION AGENDA
Thursday, August 15, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** Town of Bourne **File Number:** CC19-25
Representative: Bracken Engineering
Project Address: Savary Ave, Sagamore Beach
Proposed Project: To install a new community Title 5 septic system within a 100 feet of a wetland resource area

- 2) **Applicant:** B. Paul Bushueff Jr. **File Number:** CC19-26
Representative: Same
Project Address: 12 Agawam Point Road, Gray Gables.
Proposed Project: To construct a deck to existing house and construction of a two car garage within an AE flood zone and 100 feet of a wetland resource area.

- 3) **Applicant:** Andrew Donellon **File Number:** CC19-27
Representative: Same
Project Address: 88 Jefferson Rd., Gray Gables.
Proposed Project: to install a shed roof over existing deck within a V flood zone and within a 100 feet of a wetland resource

- 4) **Applicant:** Colonial Gas Company **File Number:** CC19-28
Representative: Tighe & Bond
Project Address: 20 Highland Ave, Buzzards Bay
Proposed Project: to install a residential gas service line from the existing gas main to the residence within an AE flood zone and within a 100 feet of a wetland resource area.

Notice of Intent

- 1) **Applicant:** Colonial Gas Company **DEP File Number:** SE7-
Representative Tighe & Bond
Project Address: 80 Rocky Point Road, Gray Gables.
Proposed Project: To install a residential gas service line via an easement at 77 Mashnee Road to the residence within an AE flood zone, V flood zone and within a 100 feet of a wetland resource area at area
- 2) **Applicant:** Michael M. Ellerbrook **DEP File Number:** SE7-
Representative Green Seal Environmental, Inc.
Project Address: 39 Tide Way Road, Pocasset
Proposed Project: To upgrade existing septic system and construction of new building within an AE flood.
(Hearing under state act only)

- ▶ Discussion of proposed Eversource utility maintenance on Scraggy Neck Road with representatives from SWCA Environmental Consultants.
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes
- ▶ Report of the Conservation Agent
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

**Conservation Commission
Meeting Minutes**

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

August 15, 2019

RECORDED
2019 DEC -9 AM 8:45
TOWN SELECTMANS BOARD

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:02 PM on August 15, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Robert Gray, Rob Palumbo, Tom Ligor, Elise Leduc, Paul Szwed and Susan Weston.

Excused Members: Melvin P. Holmes and Associate Member, Greg Berman.

Also Present: Carol Mitchell, Paul Gately, Zach Basinski, Amanda Houle, Jennifer Butaro, John Thomas, Matt Weldrip, Harley Kaplan and Ronit Goldstein.

Request for Determination of Applicability:

- 1) Applicant: Town of Bourne
File Number: CC19-25
Representative: Bracken Engineering

Savary Avenue, Sagamore Beach

To install a new community Title 5 Septic System within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Agent's Comments and DEP Wetlands Change Mapping.

Zac Basinski addressed the members. He provided history of the site and described the proposed project.

Chm. Gray asked the members to read the notes about the project that were submitted by the agent.

Board Comment – Ms. Leduc asked whether the limit of work depicted on the plan (orange line) is temporary for construction access. Mr. Basinski stated that is correct because the existing area is undersized.

Public Comment – None.

Chm. Gray asked if anyone had a question regarding the federal land and the land lease between the Town of Bourne and the federal government. No one did. He asked if everyone understood the agent's recommendation for a Negative One Determination. Everyone understood the recommendation.

Chm. Gray entertained a motion. **Ms. Weston moved, Ms. Leduc seconded a Negative One Determination.** The motion carried. 5-0-0.

2) Applicant: B. Paul Bushueff Jr.

File Number: CC19-26

Representative: Same

12 Agawam Point Road, Gray Gables

To construct a deck to existing house and construction of a two car garage within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

At the request of the applicant, the matter was continued to September 5, 2019.

3) Applicant: Andrew Donellon

File Number: CC19-27

Representative: Same

88 Jefferson Road, Gray Gables

To install a shed roof over existing deck within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Agent's Comments and DEP Wetlands Change Mapping.

Andrew Donellon explained he'd like to install four footings under the existing deck to support a 13'x 22' shed roof.

Chm. Gray asked the members to read the notes about that project that were submitted by the agent.

Board Comment -- Ms. Leduc asked whether the proposed footings will be installed through the existing deck's flooring and within the same footprint of the deck itself. Mr. Donellon stated that is correct.

Mr. Ligor asked whether the footings will be hand dug. Mr. Donellon said he believes so because there won't be any equipment on the property.

Public Comment -- None.

Chm. Gray entertained a motion. Ms. Leduc discussed the agent's note that the ruling should not constitute approval of the jurisdictional Resource Area. Chm. Gray stated the agent can stamp the plan with that language. Ms. Weston asked whether the ruling should be conditioned requiring the footings be hand dug. **Mr. Palumbo moved, Mr. Ligor seconded a Negative Two Determination with the two conditions previously discussed.** The motion carried 5-0-0.

Chm. Gray explained the determination to the applicant. He stated the approval of the request does not approve the delineation of the Wetland Resource Areas that are depicted on the site plan. It also requires the sonotubes be hand dug.

Mr. Palumbo asked the applicant for the abutter notification receipts. Mr. Donellon stated a public hearing notice was advertised in the newspaper. Chm. Gray asked Mr. Donellon whether he had sent a certified mailing to the abutters. Mr. Donellon stated he did not. Chm. Gray stated the matter will have to be continued to September 5, 2019 so that the abutters can be notified by certified mail. A brief discussion transpired regarding which abutters require notification.

The matter was continued to September 5, 2019.

4) Applicant: Colonial Gas Company
File Number: CC19-28
Representative: Tighe & Bond
20 Highland Avenue, Monument Beach

To install a gas service line from the existing gas main to the residence within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Agent's Comments, Site Plan of Record and DEP Wetlands Change Mapping.

The representative, Amanda Houle, stated she spoke with the agent who informed her he discovered part of the utility connection was approved under the Notice of Intent but was missed during the communication between National Grid and the customer. However, the work is going to include a 90' extension of the existing main within the road and a 20' service line into the house and will be performed within the Buffer Zone and within the Coastal Bank.

Board Comment – None.

Public Comment – None.

Chm. Gray entertained a motion. **Ms. Leduc moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 5-0-0.

Notice of Intent:

1) Applicant: Colonial Gas Company
File Number: SE7-2069
Representative: Tighe & Bond
80 Rocky Point Road, Gray Gables

To install a residential gas service line via an easement at 77 Mashnee Road to the residence within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Agent's Comments, Site Plan of Record, Easement, and DEP Wetlands Change Mapping.

Chm. Gray announced the file number wasn't received until earlier that afternoon. The agent was out of the office so he did not receive the file number; therefore, an Order of Conditions has not been drafted. He asked the representative to present the project and then the matter will be continued to September 5, 2019.

Amanda Houle addressed the members explaining that she has been working with the agent extensively to coordinate this gas service connection. She stated the raze and rebuild is permitted under an Order of Conditions previously issued by the Commission. Ms. Houle described the proposed project. She stated the property owners off 77 Mashnee Road have granted an easement allowing the gas line to cross through their property. She discussed the decision to perform directional drilling to avoid disturbing the Coastal Dune. Ms. Houle then described the proposed project.

Board Comment - Mr. Szwed opened a brief discussion regarding the proposed trenching.

Ms. Leduc asked if there is an existing gas line anywhere on Rocky Point Road. Ms. Houle stated there is not.

Ms. Leduc asked whether directional drilling is performed often. Ms. Houle stated it is; however, it is no longer performed in-house. It will be subcontracted out.

Ms. Leduc asked if the size of the pipe being proposed will allow other houses on Rocky Point Road to tie into this connection in the future. Ms. Houle discussed the size of the pipe being proposed and stated she believes there is potential to accommodate additional houses with gas service from this line in the future.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Ligor moved, Ms. Leduc seconded to close the public hearing.** The motion carried. 5-0-0.

Because an Order of Conditions wasn't drafted, the matter was continued to September 5, 2019.

Chm. Gray changed the order of the agenda.

► Discussion of proposed Eversource utility maintenance on Scraggy Neck Road with representatives from SWCA Environmental Consultants –

Materials Reviewed – Maintenance Letter, Agent's Comment and DEP Chapter 91 Modification letter.

Matthew Weldrip of Eversource provided history of the existing cable and described the proposed project.

Jennifer Butaro of Eversource discussed the Chapter 91 modification that was approved by DEP.

Board Comment – Ms. Leduc opened a brief discussion regarding the three entry/exit pits being proposed, the methodology of work, erosion controls being proposed and the equipment that will be used to perform the proposed work.

Public Comment – Mr. Gately asked the length of the proposed project. Mr. Weldrip stated it is approximately 1,800 linear feet. Chm. Gray elaborated.

Chm. Gray stated the Commission must determine whether this project meets the utility exemption under Massachusetts Wetland Protection Act 10.02 (a) 2. Chm. Gray read the agent's opinion and Mr. Weldrip discussed how the proposed project meets the exemption.

Chm. Gray entertained a motion. **Mr. Palumbo moved, Mr. Ligor seconded that the utility exemption applies.** The motion carried. 5-0-0.

Chm. Gray returned to the Notice of Intent

Notice of Intent:

2) Applicant: Michael M. Ellerbrook
File Number: SE7-
Representative: Green Seal Environmental, Inc.
39 Tide Way Road, Pocasset

To upgrade existing septic system and construction of a new building within an AE Flood Zone.

Materials Reviewed - Site Photographs, Site Plan of Record, Agent's Comments and DEP Wetlands Change Mapping.

(Hearing Under State Act Only)

Jose Pichardo described the proposed project.

Board Comment – Chm. Gray asked the representative whether a file number had been received. Mr. Pichardo stated he was not notified. Chm. Gray said the matter will have to be continued since a file number wasn't issued.

Ms. Weston opened a discussion regarding the notes issued by the agent surrounding the catch basins.

Public Comment – None.

Mr. Pichardo asked whether the board can approve the project as proposed. Chm. Gray explained the public hearing can't be closed without a DEP file number. A brief discussion transpired regarding the continuance.

Chm. Gray entertained a motion to continue the matter to September 5, 2019. **Mr. Ligor moved, Ms. Leduc seconded to continue the matter to September 5, 2019.** The motion carried. 5-0-0.

▶ **Vote to excuse absent members, if necessary – Ms. Weston moved, Ms. Leduc seconded to excuse the absent members.** The motion carried. 5-0-0.

▶ **Public Comment Period on Non-Agenda Items –** Plymouth resident, Harley Kaplan, expressed his concern over damage being caused by hang gliders to the Bank and wildlife at Indian Trail. He submitted site photographs which substantiate his concerns. He implored the board to prohibit hang gliding at that location. A discussion ensued. Mr. Palumbo requested Mr. Kaplan's contact information that he'll forward to the agent.

A brief discussion transpired regarding the location of concern and the hang gliding club, The New England Paragliding and Hang gliding group, who was scheduled to appear before the Commission on May 10, 2012 to discuss a restoration plan for the Bank.

▶ **Acceptance of Previous Meeting Minutes – Deferred**

▶ **Report of the Conservation Agent – None.**

▶ **Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.**

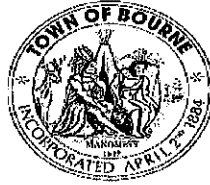
▶ **Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.**

II. Adjournment

Mr. Palumbo moved, Ms. Leduc seconded to adjourn. The motion carried. 5-0-0. The meeting adjourned at 8:09 PM.

Minutes submitted by: Carol Mitchell

TOWN CLERK BOURNE



CONSERVATION COMMISSION AGENDA
Thursday, September 5, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

1) **Applicant:** MassDOT Rail and Transit Division **File Number:** CC19-29
Representative: Jacobs Engineering Group
Project Address: Monument Neck Road, Mile Post .82 on Falmouth line, Gray Gables
Proposed Project: Replacement and reconstruction of the grade crossing, to restore the profile through the curve and replacement of deteriorating signal system within an AE flood zone

2) **Applicant:** Alexander M. Joyce **File Number:** CC19-30
Representative: Same
Project Address: 200 Eel Pond Road, Monument Beach
Proposed Project: To reconstruct a single family home, extend existing deck and construct a screened in porch, within an AE flood zone and within a 100 feet of a wetland resource area.

3) **Applicant:** B. Paul Bushueff Jr. **File Number:** CC19-26
Representative: Same
Project Address: 12 Agawam Point Road, Gray Gables.
Proposed Project: To construct a deck to existing house and construction of a two car garage within an AE flood zone and 100 feet of a wetland resource area.
(Continued to September 5, 2019)

4) **Applicant:** Andrew Donellon **File Number:** CC19-27
Representative: Same
Project Address: 88 Jefferson Rd., Gray Gables.
Proposed Project: To install a shed roof over existing deck within a V flood zone and within a 100 feet of a wetland resource
(Continued to September 5, 2019)

6) **Applicant:** Michael M. Ellerbrook **DEP File Number:** SE7-2070
Representative Green Seal Environmental, Inc.
Project Address: 39 Tide Way Road, Pocasset
Proposed Project: To upgrade existing septic system and construction of new building within an AE flood.
(Continued to September 5, 2019 - Hearing under state act only)

- ▶ Issuance of Order of Conditions for SE7-2069 at 80 Rocky Point Road, Gray Gables.
- ▶ Discussion of Para-gliding on Sagamore Highlands
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

Conservation Commission
Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

September 5, 2019

RECEIVED
2019 DEC 23 AM 8:40
TOWN CLERK BOURNE

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on September 5, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Elise Leduc, Paul Szwed, Susan Weston, M. Peter Holmes and Associate Member Greg Berman.

Excused Members: Rob Palumbo and Thomas Ligor.

Also Present: Sam Haines, Jack Landers-Cauley, Paul Gately, Kimberly DeGutis, Peter Cruz, Alexander Joyce, Jim Mulvey, Sharon Young, Merle Harris, Scott Froman, Judith Froman, Stuart Clark, Garrett Tunison, Greg Wirsen, Dale Hatt, Maxanne Most, Michael Metcalf, Patti Metcalf, Michael Borselli and Mary McCarthy.

Request for Determination of Applicability:

1) Applicant: MassDOT Rail and Transit Division

File Number: CC19-29

Representative: Jacobs Engineering Group

Monument Neck Road, Mile Post .82 on Falmouth line, Gray Gables

Replacement and reconstruction of the grade crossing, to restore the profile through the curve and replacement of deteriorating signal system within an AE Flood Zone.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Kimberly DeGutis and Peter Cruz described the proposed project.

Agent Comment – Mr. Haines explained all of the proposed work is located within the AE Flood Zone and is within a Resource Area therefore, there are no exemptions under the State Act. After reviewing the proposal, he feels a Negative Two Determination is appropriate. BMPs are being proposed so he doesn't see any negative impact to the isolated water body that is adjacent to Monument Neck Road, which he believes is an isolated wetland. The plan depicts BVW, but it has no bearing on this filing.

Board Comment – None.

Public Comment – Paul Gately asked when work will commence. Mr. Cruz stated a start date has not yet been determined.

Chm. Gray entertained a motion. **Mr. Szwed moved, Ms. Leduc seconded a Negative Two Determination.** The motion carried. 5-0-0.

2) Applicant: Alexander M. Joyce

File Number: CC19-30

Representative: Same

200 Eel Pond Road, Monument Beach

To reconstruct a single-family home, extend existing deck and construct a screened in porch within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Alexander Joyce was present to discuss the proposed project. He explained the Commission previously approved an Abbreviated Notice of Resource Area Delineation (ANRAD) which outlined the Resource Areas located on the site. He is seeking to extend his home by twelve feet on each end, extend the existing deck and construct a screened in porch on the south side of the home. He plans to use the existing foundation.

Agent Comment – Mr. Haines confirmed the delineation was approved under a previous ANRAD. The foundational element to the structure will be on sonotubes or helical anchors which will reduce the ground impact or risk of erosion. The northeast side of the project is closest to the Bank. The work is no closer to the Resource Area than existing foundational elements. His biggest concern with this project is the distance between the work and the edge of the Coastal Bank. He suggested conditioning the determination requiring demarcating the top of the Coastal Bank.

Board Comment – Ms. Weston asked if the existing area is grass or lawn. Mr. Joyce said the existing area is grass.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 5-0-0.

3) Applicant: B. Paul Bushueff Jr.
File Number: CC19-26
Representative: Same
12 Agawam Point Road, Gray Gables

To construct a deck to existing house and construction of a two car garage within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

(Continued from August 15, 2019)

Paul Bushueff Jr. and his daughter were present to discuss the proposed project.

Agent Comment – Mr. Haines stated he had concerns with the delineation of the Coastal Bank. He supplied the original plan along with his own plan with his interpretation of the location of the Bank. He explained that the Commission has two options; have the applicant recreate the plan with a surveyor or accept the plan with the condition that action at this time does not indicate an acceptance of any Wetland Resource Area by the Commission.

Board Comment – Ms. Leduc asked which of the two plans is the one the agent delineated. Mr. Haines said it is the plan with red ink. She asked where the top of the Bank is depicted on the original plan. Mr. Haines explained it was an observation he made in the field; it is not depicted on the plan.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded a Negative Two Determination with the condition suggested by the agent.** The motion carried. 5-0-0.

3) Applicant: Andrew Donellon
File Number: CC19-27
Representative: Same
88 Jefferson Road, Gray Gables

To install a shed roof over existing deck within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

(Continued from August 15, 2019)

Mr. Haines explained the matter was continued solely for abutter notification. He suggested a Negative Two Determination with the condition that action at this time does not indicate an acceptance of any Wetland Resource Area by the Commission.

Public Comment – None.

Chm. Gray entertained a motion. **Ms. Leduc moved, Ms. Weston seconded a Negative Two Determination with the condition suggested by the agent.** The motion carried. 4-0-1. Mr. Holmes abstained.

Notice of Intent:

1) Applicant: Jared Kent
File Number: SE7-2075
Representative: Civil Environmental Engineering
470 Wings Neck Road, Pocasset

Landscaping/tree removal within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Resource Area Delineation and DEP Wetlands Change Mapping.

Jack Landers-Cauley addressed the members. He provided a history on the property and presented the proposed project.

Agent Comment – Mr. Haines stated he measured the Bank per the 92-1 Policy and although there may be a small fragment of Coastal Bank on the east side, he doesn't believe it is jurisdictional. The project involves the mowing of all trees within the AE Flood Zone and converting it to approximately 6,000 sq. ft. of lawn. Currently, there aren't any regulations to prevent this. He contacted the Board of Health and they did not place a restriction on the lawn to control nitrogen. He feels the proposed tree removal in the 50'-100' buffer is reasonable to establish a view shed over approximately 30% of the site. He suggested conditioning the Order requiring the understory in the 100' buffer remain and asked the he be allowed to administratively approve the removal of one or two trees. Mr. Haines explained a wetland scientist performed a site visit to determine the Resource Areas that are located on the site.

Board Comment – Ms. Weston asked what restrictions were set under the original Order. Mr. Haines explained the previous filing was an RDA for the septic system and the only condition required a wetland scientist delineate the Resource Areas that are located on the site.

Mr. Berman commented on the number of trees being removed within the 50'-100' buffer. Mr. Landers-Cauley stated fifteen of the fifty-nine trees are proposed to be removed. Mr. Haines feels this is a measured approach.

Ms. Leduc opened a brief discussion regarding the trees being removed in the proposed view shed corridor. She and Mr. Szwed questioned why one Cedar tree that is located outside of the view shed corridor is proposed to be removed. Mr. Landers-Cauley explained the property owner would like it removed for aesthetic purposes. Ms. Leduc expressed concern over the tree's wildlife value. Mr. Berman asked if a new cedar could be planted elsewhere on the property as mitigation. Mr. Landers-Cauley feels it will not be beneficial to replant another tree since the northeast side of the property is heavily wooded and feels it's reasonable to allow removal of the cedar.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Ms. Weston seconded to close the public hearing.** The motion carried. 5-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 7, 8, 10, 11, 12, 15, 18, 19, 21, 27, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4 and the following Additional Special Condition; ASC (1) this project does not allow for any grubbing of stumps or clearing of the understory within 100' of the landward edge of the Coastal Bank or Coastal Dune.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Ms. Weston moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried 5-0-0.

2) Applicant: Steven and Gina Murray
File Number: SE7-2072
Representative: Falmouth Engineering
37 Beacon Point Road, Pocasset

To raze and reconstruct a single-family dwelling within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

On behalf of the property owners, Michael Borselli described the property and the proposed project. He explained the agent has concerns over the Coastal Dune that is delineated on the plan. Mr. Borselli feels he was conservative with calling the area a Dune. He did not have a coastal geologist analyze the area; instead, the survey crew, by observation, saw what appears to be dune grass. The area is depicted on the plan as a dune and setbacks have been established. He feels that even if it is suggested that the dune extends landward, the proposed work is still outside of the fifty-foot no touch zone.

Agent Comment – Mr. Haines said his biggest concern is the delineation of the Coastal Dune; which wasn't flagged in the field. He was unable to determine its exact location without it being flagged so he asked Mr. Berman, who has extensive coastal geology experience, to assist. Mr. Haines stated even though the proposed construction may be set back from the dune, the Board of Health will require a properly delineated plan. Mr. Haines commented that the existing shed is shown off the property; encroaching on the adjacent property. The Commission's Order of Conditions clearly state the Order doesn't establish property rights, so he doesn't think the board has any legal requirement to have it moved; especially since the abutter isn't overly concerned about it. The septic system is seaward of the house and within a V Zone. Mr. Haines asked the representative to provide additional information on how it was designed to prevent damage to the system during a storm event. Although the septic design ultimately falls under the purview of the Board of Health, the Commission does have standing to consider whether it's designed to prevent sewage backup and damage to the system caused by the flooding/scouring during a storm event. He will handle this with the Board of Health administratively if the Commission would like.

Board Comment – Mr. Berman discussed his observations during the site visit. After a brief discussion, Chm. Gray suggested continuing the matter to allow the representative to stake the area so it corresponds with the plan. Mr. Borselli agreed.

Mr. Haines plans on revisiting the site to speak with the association because he and Mr. Berman observed geotextile sandbags have been placed on the association beach without permission.

Public Comment – None.

The matter was continued to September 19, 2019.

3) Applicant: Katherine Burke

File Number: SE7-2073

Representative: Falmouth Engineering

219 Scraggy Neck Road, Cataumet

Raze and reconstruct existing garage, construction of a swimming pool, deck and screened in porch within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

Michael Borselli described the location of the property, the layout of the property and revisions made to the proposed project; i.e., portions of the house will be renovated rather than a raze and rebuild.

Agent Comment – Mr. Haines discussed the proposed revisions. Since the garage and pool aren't being included in this filing, he suggested conditioning the Order that a pool or any other accessory structure which may have been referenced in the filing, but are not shown on the plan, are not permitted under this Order of Conditions. He said the delineation appeared accurate in the field and that the dock and boathouse appear unchanged in aerials dating back to the 90s. He feels this is a straightforward project.

Board Comment – None.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Ms. Leduc seconded to close the public hearing.** The motion carried. 5-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 22, 27, 28, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4, 6 and the following Additional Special Conditions, ASC (1) no pool or any other accessory structure which may have been referenced in the filing but are not shown on the plan of record are not permitted under this Order of Conditions. Bylaw condition 4 shall continue in perpetuity.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Ms. Weston moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried 5-0-0.

4) Applicant: Paul Mastroianni
File Number: SE7-2074
Representative: Falmouth Engineering
406 Scraggy Neck Road, Cataumet

To construct a single-family dwelling, Title 5 septic system, associated grading, clearing and landscaping within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Michael Borselli described the location of the property, the Resource Areas located on the property, including what he believes is a fragmented Coastal Bank and the topography of the site. He mentioned the vista pruning/invasive management that was proposed in the narrative is not a part of this filing.

Agent Comment – Mr. Haines feels the bank is a typical Coastal Bank not a fragmented bank. He stated the saltmarsh wasn't flagged so he's concerned how the delineation of the Resource Areas below the 6' elevation could impact future filings. Mr. Borselli suggested basing the saltmarsh line on Spring High Tide data, which is available through the Buzzards Bay Estuary Program. Chm. Gray said because this is a saltmarsh delineation, two features should be shown on the plan; the landward edge of the marsh defined by vegetation and the highest high tide line. Regulations state the highest high tide line defines the upper limits of the saltmarsh. He suggested adding a condition that the Order does not approve the saltmarsh delineation as depicted on the plan. A brief discussion ensued.

Board Comment – Ms. Leduc thinks the condition should state that the Order does not approve any Resource Area delineation seaward of the Coastal Bank.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Ms. Leduc seconded to close the public hearing.** The motion carried. 5-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 22, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4, 5, 6, 7, 9 and the follow Additional Special Conditions; ASC (1) this Order does not allow for any tree clearing or landscaping outside of the approved limit of work despite the language in the filing narrative, ASC (2) this Order does not approve any Resource Area delineation seaward of the Coastal Bank. Any subsequent filings will require any Resource Areas on the property to be re-delineated. Special Condition 4 shall continue in perpetuity.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Ms. Weston moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried 5-0-0.

5) Applicant: 21 Hunters Brook Road, Inc.
File Number: SE7-
Representative: Green Seal Environmental
21 Hunters Brook Road, Sagamore Beach

To construct a 16 residential duplex 26x30, 12,600 sf medical office building, 22,061 sf assisted living facility and associated access, parking and infrastructure within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Invasive Species Management Plan Stormwater Management Plan, Mitigation Plan, Bridge Rendering, Letter from Bourne Fire Department, Letter from North Sagamore Water District, Letter from the Sorrenti abutter, Letter from Bourne Police, Letter from Sharon Young, Phasing Plan, Project Narrative Flash Drive and DEP Wetlands Change Mapping.

Stuart Clark of Green Seal Environmental and Garrett Tunison of Tunison Environmental presented the proposed project, Canal Street Crossing. Mr. Clark discussed the existing conditions of the property, the topography of the site and the various phases of the proposed project. Mr. Clark explained the first phase of the project; to construct a wetland crossing (bridge), will allow construction equipment and materials to be transported to the construction site. He then discussed the proposed work that will occur outside of the Commission's jurisdiction, the invasive species eradication plan; which

was developed with the Cape Cod Commission, the Stormwater Management Plan, access to the site, the proposed buffer zone work and the proposed off-site mitigation.

Board Comment – Chm. Gray discussed the dimensions of the proposed bridge.

Agent Comment – Mr. Haines explained the wetland delineation was previously approved under an ANRAD, so that's not for consideration. He stated he would normally recommend a peer review for a commercial project; however, the Commission has limited jurisdiction under this proposed project and they've already reviewed the stormwater plan so he doesn't feel a peer review is necessary. Mr. Haines discussed his opinion as to whether this meets the limited project criteria under 10.53e of the State Act. Additionally, he explained the Commission's flexibility to issue a permit. He feels the proposed invasive species management is aggressive; however, it was approved by the Cape Cod Commission. Mr. Wirsen said he is amenable to conditioning the Order requiring administrative input from the agent regarding the invasive species management. Mr. Haines discussed the complexities involved with the proposed project and the need to proceed with care with the clearing and grading within the buffer to avoid wetland impacts.

Mr. Wirsen discussed the erosion control methods that will be used and elaborated on the three phases of the proposed project.

Mr. Haines stated a DEP file number has not been issued so the matter will be continued.

Additional Board Comment – Mr. Holmes asked whether the proposed mitigation is located off-site. Mr. Wirsen confirmed that the Cape Cod Commission is requiring off-site mitigation.

Mr. Holmes briefly discussed the type of sewage treatment system being proposed.

Mr. Holmes asked if anything other than 16 residential units are being proposed. Mr. Wirsen explained that because the area is zoned as an Overlay District, only residential units are being proposed.

Mr. Berman asked how the riprap will transition to the native soil. He noted straw wattles are being proposed but wondered whether a more permanent erosion control method is being proposed. Mr. Clark and Mr. Wirsen stated the area will be allowed to revegetate. Fencing backed with straw wattles will be used as a temporary solution.

Ms. Leduc opened a discussion regarding stormwater runoff and the sewage treatment disposal field being proposed under the parking lot.

Ms. Leduc asked Mr. Wirsen to elaborate further on the off-site mitigation. Mr. Wirsen explained eleven acres of a seventeen acre parcel was purchased. The Cape Cod Commission is requiring that a little over four acres of that land be set aside as mitigation. The remaining acres may be sold to ISWM. Mr. Haines mentioned that representatives from ISWM will be before the Commission on October 3, 2019. A brief discussion ensued.

Mr. Szwed asked how the span of the bridge was determined. Mr. Clark and Mr. Wirsen explained they wanted to ensure the work is performed within the buffer rather than the wetland.

Chm. Gray discussed previous concerns that there may be culverts on the southern end of the property that run to directly to canal. He asked whether that had been investigated. Mr. Wirsen explained he and a representative from the Cape Cod Commission scoured the land and found no evidence that a culvert exists. Also, a hydrogeological analysis was performed which also confirmed that. Mr. Haines stated he too spent about 90 minutes with an auger at that location at the time of the ANRAD and found no evidence of a culvert.

Chm. Gray asked for additional information on the Vernal Pool assessment that was performed. Garrett Tennison stated he did not find any evidence of amphibian or invertebrate species during his assessment and then discussed his findings. Mr. Haines commented that he did not find any evidence either when he assessed the pool in May.

Chm. Gray asked whether any rare species were found on the site during the review by the Cape Cod Commission. Mr. Wirsen explained that a full wildlife habitat assessment was performed on the site as required by the Cape Cod Commission and nothing was found. Mr. Tennison added the area is not mapped as rare species habitat.

Prior to hearing public comment, Chm. Gray reminded those in attendance that the Commission has limited jurisdiction over this site and because a DEP file number has not been issued, the matter will be continued to September 19, 2019. He asked that questions relate to wetlands, not noise or traffic which are better directed to the Planning Board, Police Department or the building inspector.

Public Comment – Abutter, Scott Froman, asked that the representative turn around present the entire presentation again to the audience. Chm. Gray denied the request and invited the public to review the material that was submitted by the applicant. He asked the representative to turn the map around to allow the audience to see the Commission's limited jurisdiction.

Mr. Froman questioned why members were allowed to ask questions about the project that fall outside of the Commission's jurisdiction. Chm. Gray explained they asked because of their own personal interest in the project.

A brief discussion transpired over the Commission's jurisdiction at the site.

Merle Harris of 21 Hunters Brook Road is annoyed that the project name is the same as his property address. He would like Mr. Wirsen to change the project name. He then provided history of the site. He expressed concern over potential flooding of his property should a major storm hit our area. Mr. Haines explained the Commission will make sure the design meets the Massachusetts Stormwater Standards. A discussion ensued.

Maxanne Most asked who will be responsible for long-term invasive maintenance and general property maintenance. Mr. Wirsen said if a Conservation Restriction is in place, general maintenance would become the responsibility of the restriction holder. Mr. Tennison noted the eradication plan is a two to three year plan and the requirements set by the Cape Cod Commission will be followed. Mr. Wirsen added that a long-term maintenance plan is not required.

Ms. Most asked for additional information regarding a Conservation Restriction. Mr. Wirsen elaborated.

Mr. Tennison provided additional information regarding the invasive species eradication plan.

Ms. Most opened a brief discussion regarding the amount of tree cutting being proposed.

Sharon Young expressed concern over run off of sediment and other debris. Mr. Wirsen discussed construction sequencing and preventative measures that will be taken to prevent runoff.

A brief discussion transpired regarding the secondary egress required by the Fire Department to the commercial side of the property from the residential side.

Ms. Most asked where the access point for the bridge construction will be located. Mr. Wirsen referred to the map to pinpoint the access point location.

Jim Mulvey suggested all attendees sign in on the attendance log and asked whether additional input is needed from the Cape Cod Commission. Ms. Leduc stated the Cape Cod Commission has finished reviewing the project.

Mr. Mulvey suggested conditioning the Order to require maintenance of the proposed rain gardens. Mr. Haines explained that is outside of the Commission's jurisdiction but it will be part of their Operations and Maintenance Plan which will be reviewed by the Planning Board. It will also be described in the Stormwater Report.

Mr. Mulvey asked whether additional information will be provided on the off-site mitigation. Mr. Haines stated mitigation is a requirement of the Cape Cod Commission not the Conservation Commission. A discussion will be held regarding the Conservation Restrictions on October 3rd.

Mr. Mulvey asked for additional information regarding the proposed concrete vehicle washout station. Mr. Clark provided additional information. Mr. Haines asked whether the station will be located outside of the 100 foot buffer. The representative stated it will be.

Judy Froman asked how the construction site will be accessed once the bridge is completed. Mr. Wirsén stated the site will be accessed from Canal Street not Hunters Brook Road.

Mrs. Froman opened a brief discussion regarding the design of the bridge, flash freezing and potential impacts from the use of ice melt and stormwater runoff.

Dale Hatt raised concern that the bridge may impede wildlife from walking under it. Mr. Clark stated the proposed bridge will be thirteen feet in height and will not restrict wildlife movement.

Mike Metcalf questioned whether the site was assessed for rare species habitat. Mr. Tunison described the assessment process. A discussion ensued.

Mary McCarthy discussed the factors that are considered for mapping wetland or wildlife habitat.

Scott Froman pointed out the concerns discussed by the agent during his commentary. Mr. Haines acknowledged he has concerns; however, in his opinion, the proposed project meets the Performance Standards of the Wetlands Protection Act. Mr. Froman asked whether the agent will express his concerns to the other town boards who will also review the project. Mr. Haines stated he will only appear before a board if he's requested to do so.

A brief discussion transpired regarding the amount of water the new facility will utilize. Mr. Haines stated water consumption is outside of the Commission's purview.



CONSERVATION COMMISSION AGENDA
Thursday, September 19, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

2019 SEP 19 PM 12:06
TOWN OF BOURNE
CLERK

Amended

7:00 Request for Determination

- 1) **Applicant:** Stephen Doran, Bortolotti Construction **File Number:** CC19-31
Representative: Down Cape Engineering
Project Address: 920 Scenic Highway, Bourne
Proposed Project: Jurisdictional determination for a septic installation
- 2) **Applicant:** Nancy McCarthy **File Number:** CC19-32
Representative: JC Engineering, Inc.
Project Address: 455 Circuit Avenue, Pocasset
Proposed Project: To replace existing septic tank and reconstruction of a sun porch within an AE Flood Zone and within a 100 feet of a wetland resource area

Notice of Intent

- 1) **Applicant:** James Coull **DEP File Number:** SE7-2077
Representative: JC Engineering, Inc.
Project Address: 105 Williams Ave, Pocasset
Proposed Project: To upgrade septic system within a 100 feet of a wetland resource area.

2) **Applicant:** Steven and Gina Murray **DEP File Number:** SE7-2072
Representative Falmouth Engineering
Project Address: 37 Beacon Point Road, Pocasset
Proposed Project: To raze and re-construct a single family dwelling, within an AE flood zone, V flood zone and within 100 feet of a wetland resource area
(Continued to September 19, 2019)

3) **Applicant:** 21 Hunters Brook Road, Inc. **DEP File Number:** SE7-2076
Representative Green Seal Environmental
Project Address: 21 Hunters Brook Road, Sagamore Beach
Proposed Project: To construct a 16 Residential Duplex 26 x 30, 12,600 sf Medical Office Building, 22,061 sf Assisted Living Facility and associated access, parking and infrastructure within 100 feet of a wetland resource area
(Continued to September 19, 2019)

Request for Certificate of Compliance

1) **Applicant:** Jeffery & Pamela Seifried **DEP File Number:** SE7-1941
Representative MacLean & Associates Architecture
Project Address: 4 Central Blvd, Monument Beach
Proposed Project: To rebuild and construct a 3 bedroom residence with a deck on existing concrete foundation within an AE Flood zone, within a 100 feet of a wetland resource area and within in 200 feet of a river front.

- ▶ Discussion of Para-gliding on Sagamore Highlands
- ▶ Discussion of Draft Stormwater Bylaw
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

**Conservation Commission
Meeting Minutes**

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

September 19, 2019

RECEIVED
2019 DEC -9 AM 8:45
TOWN CLERK BOURNE

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on September 19, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Thomas Ligor, Paul Szwed, Susan Weston, M. Peter Holmes and Associate Member Greg Berman.

Excused Members: Rob Palumbo and Elise Leduc.

Also Present: Sam Haines, Carol Mitchell, Craig Ferrari, Bradley Bertolo, Paul Gately, Jim Mulvey, Frances Speers, Nancy McCarthy, John McCarthy, Greg Wirsen, Stu Clark, Michael Borselli, Garrett Tunison and Scott Froman.

Request for Determination of Applicability:

1) Applicant: Stephen Doran, Bortolotti Construction
File Number: CC19-31
Representative: Down Cape Engineering
920 Scenic Highway, Bourne

Jurisdictional Determination for a septic installation.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Craig Ferrari addressed the members. He explained they are seeking to upgrade the existing septic system. The proposed system will be installed in virtually the same area as the existing system.

Agent Comment – Mr. Haines stated the proposed work is at elevation 96 and is approximately 250 feet from the canal. He doesn't feel any portion of the non-eroding bank within 100 feet of the proposed work has any flood control function. It is for the Commission to determine whether part or all of the Coastal Bank is jurisdictional. He suggested a Negative One Determination if the Commission feels it is not within jurisdiction and a Negative Three Determination if they feel the work is within the buffer zone to a jurisdictional Coastal Bank, but it won't have an adverse impact on the Resource Area.

Board Comment – Mr. Ligor asked whether the new system will be within the existing footprint. Mr. Ferrari stated it will be in the same location.

Mr. Ligor asked whether the system will be expanded. Mr. Ferrari stated the existing two cesspits will be replaced with a septic tank and a leaching field.

Mr. Ligor asked where the leaching field will be located. Mr. Ferrari stated it will go between the two existing cesspits.

Ms. Weston asked if the top of the Bank is delineated on the plan. Mr. Ferrari said it is unclear on this site where the top of the Bank is located because it is a manmade landform. Mr. Haines stated there is no break in slope greater than 4:1; even up to elevation 96. The slope is so steep that if Policy 92-1 is applied, the breaking slope would be at the top elevation. The question then becomes is it subject to jurisdiction. Mr. Haines explained that originally, the Flood Zone was mapped at the edge of the canal by the rail trail; however, in 2014, the Flood Zone Map changed and now goes over and impacts that Bank.

Chm. Gray asked the agent to run this scenario by DEP. He said he doesn't foresee any issues with this project and he'd be more concerned if the Commission was approving construction on a vacant lot.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Mr. Ligor seconded a Negative Three Determination.** The motion carried. 4-0-0.

Chm. Gray recused himself from discussion and vote. Ms. Weston chaired the next several hearings.

2) Applicant: Nancy McCarthy
File Number: CC19-32
Representative: JC Engineering, Inc.
455 Circuit Avenue, Pocasset

To replace existing septic tank and reconstruction of a sun porch within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Brad Bertolo addressed the members and described the proposed project.

Board Comment – Mr. Ligor asked whether the existing porch is being removed. Mr. Bertolo stated it is being removed and reconstructed porch will be in the existing footprint.

Mr. Ligor asked whether the existing Cedar tree will be removed. Mr. Bertolo stated it will not be removed.

Agent Comment – Mr. Haines explained the septic upgrade is in a flat lot. The proposed porch will have a sonotube foundation, which will be hand dug. A small piece of equipment will be used to install the tank. Mr. Haines has no issues with the work as proposed.

Public Comment – Nancy McCarthy asked whether the dead tree that exists on the right side of the property will be removed. Mr. Haines asked that he be called for an administrative approval on removing the dead tree.

Ms. Weston entertained a motion. **Mr. Ligor moved, Mr. Szwed seconded a Negative Two Determination.** The motion carried. 3-0-0.

Notice of Intent:

1) Applicant: James Coull
File Number: SE7-2077
Representative: JC Engineering, Inc.
105 Williams Avenue, Pocasset

To upgrade septic system within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Brad Bertolo stated the proposed project has been approved by the Board of Health. He described the layout of the property and discussed the proposed project.

Board Comment – Mr. Ligor asked what material will be used to fill the existing cesspool. Mr. Bertolo explained the existing cesspool will be pumped and removed.

Agent Comment – Mr. Haines said back in mid-August, there was an illicit discharge due to an overflow of this into the town's MS4 system and into the pond. He and the Board of Health had to shut down the pond for a period of two days. It's imperative that this project be completed. He recommended conditioning the Order requiring that the road be cleaned daily and silt sacks be installed.

Public Comment – None.

Ms. Weston entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 3-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 5, 7, 9, 10, 11, 12, 14, 15, 18, 19, 27, 28, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4, 6, 7, 9 and the following Additional Special Condition; ASC (1) the road must be cleaned daily and silt sacks must be installed. Special Condition 15 and Bylaw Condition 4 shall continue in perpetuity.

Ms. Weston entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 3-0-0.

Chm. Gray returned to chair the meeting.

2) Applicant: Steven and Gina Murray

File Number: SE7-2072
Representative: Falmouth Engineering
37 Beacon Point Road, Pocasset

To raze and reconstruct a single-family dwelling within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

Michael Borselli explained the matter was continued because the dune had not been staked previously. It has since been staked and the wetland has been delineated. The plans have been revised accordingly and a new Variance request has been submitted to the Board of Health. Mr. Borselli then described the proposed project. He mentioned that the existing shed, which was discovered to be just over the property line, will remain in place.

Board Comment – Mr. Ligor asked what the shed is encroaching on. Mr. Haines stated his neighbor, adding that the neighbor hasn't complained about the shed's location.

Agent Comment – Mr. Haines discussed the delineation of the dune and said he is satisfied with the outcome.

Public Comment – Jim Mulvey asked whether the proposed dwelling will be within the existing footprint. Mr. Borselli stated the proposed dwelling is slightly smaller but will be in the same location.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 22, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4, 5, 6, 7, 9. Bylaw Condition 4 will continue in perpetuity.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

3) Applicant: 21 Hunters Brook Road, Inc.

File Number: SE7-2076
Representative: Green Seal Environmental
21 Hunters Brook Road, Sagamore Beach

To construct a 16 residential duplex 26x30, 12,600 sf medical office building, 22,061 sf assisted living facility and associated access, parking and infrastructure within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Invasive Species Management Plan Stormwater Management Plan, Mitigation Plan, Letter from Bourne Fire Department, Letter from North Sagamore Water District, Letter from the Sorrenti abutter, Letter from Bourne Police, Letter from Sharon Young, Phasing Plan, Project Narrative and DEP Wetlands Change Mapping.

Chm. Gray asked whether the matter had been continued for file number only. Mr. Haines confirmed it.

Board Comment – Mr. Holmes asked the representative to explain the three phases of the project.

Greg Wirsen explained there are three phases depicted on the plan by color; orange, yellow and blue. The orange phase represents construction of the proposed bridge.

Mr. Ligor asked what material the bridge will be constructed of and what the height will be. Mr. Wirsen stated the bridge will be made of precast concrete and will be approximately thirteen feet in height at the peak.

The yellow phase and part of the blue phase represents site clearing/grading, foundation pouring, water and utility lines being run.

Mr. Ligor asked how large of an area the yellow phase represents. Mr. Wirsen said it is under 5 acres.

Mr. Ligor opened a brief discussion regarding the number of trees proposed to be removed. He expressed carbon footprint concerns. The results of the wildlife assessment was also discussed.

A brief discussion transpired regarding the permanent Conservation Restriction being placed on the wetland and buffer zone (excluding the driveway and bridge) and on the 4.68 acres of land off MacArthur Blvd. Mr. Wirsen also addressed Mr. Ligor's carbon footprint concerns.

Chm. Gray referred to the phase map and explained that the only color that is within the Commission's jurisdiction is outlined in pink. All other colors are outside of the Commission's jurisdiction. Explaining that the project was reviewed by the Cape Cod Commission and the off-site mitigation was required as compensation.

Public Comment – Jim Mulvey asked whether the proposed project has been reviewed by the Planning Board. Mr. Wirsen stated they will present the project to the Planning Board on November 14th. Mr. Mulvey raised concern that any approval by the Commission could conflict with any Planning Board decision; thus, requiring revisions to the plan. Mr. Haines explained the amendment process for such a situation.

Abutter, Scott Froman, understands the Commission's limited jurisdiction; however, he feels each department/board with limited jurisdiction has a collective responsibility to ensure projects won't adversely affect the community and the environment. A discussion ensued.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 17, 18, 19, 21, 26, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 4, 5, 6, 7 and the following Additional Recommended Conditions; ASC (1) The Order automatically incorporates general construction notes 11, 12, 16, 17, 18 and 23, general grading and drainage notes 1, 2, 5, 7, 6 and all environmental erosion and sediment control notes 1-22 as submitted on sheet N1 of the plan set of record, ASC (2) roadways must be kept clean of sediment and swept as needed to prevent track sediment from entering the stormwater system and waterways, ASC (3) additional site visits by the conservation agent will be required prior to the placement of the bridge and the start of the invasive species control program. The applicant or his contractor must supply the Conservation Department with at least 48 hour notice prior to commencement of this work. Special Condition number 15 shall continue in perpetuity beyond the limitations of this work.

Mr. Szwed asked whether the sediment control for stormwater and waterways will protect the area. A brief discussion transpired regarding the erosion control methods that will be used.

Jim Mulvey asked whether the Local Comprehensive Plan is involved with the project. Mr. Haines explained that is reviewed by the Planning Board or the Board of Selectmen.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

Request for Certificate of Compliance:

1) Applicant: Jeffrey & Pamela Seifried
File Number: SE7-1941
Representative: MacLean & Associates Architecture
4 Central Blvd., Monument Beach

To rebuild and construct a 3 bedroom residence with a deck on existing concrete foundation within an AE Flood Zone, within 100 feet of a Wetland Resource Area and within 200 feet of a River Front.

Agent Comment – A site visit was performed. The agent recommended denying the issuing of the Certificate of Compliance because soils on site have not been stabilized sufficiently to remove the erosion controls and the Commission as not received an as-built plan.

Mr. Ligor moved, Mr. Haines seconded to deny issuance of the Certificate of Compliance. The motion carried. 4-0-0.

► Discussion of Para-gliding on Sagamore Highlands - Mr. Haines provided an update on the matter. He wasn't present at the meeting when the board heard a complaint from a Plymouth resident regarding paragliding that's occurring on Sagamore Highlands, but after reviewing, he does not feel this activity is in violation of the deed restriction or a violation of the Wetlands Protection Act; given that it's an eroding Bank and the activity has no impact on the ability of the Bank to erode. It would have to be a joint decision between the Commission and the Board of Selectmen to restrict that specific activity on the Bank.

Ms. Weston opened a discussion regarding for profit activities occurring on town owned property.

Mr. Haines discussed adverse impacts on Town of Bourne land resulting from the complainant's revetment.

Chm. Gray suggested the agent contact the paragliding club to inform them of concerns and ask them to appear before the Commission to address them. A discussion ensued.

► Discussion of Draft Stormwater Bylaw – Mr. Haines handed out and discussed the draft bylaw that will be an article on the next Town Meeting Warrant.

Jim Mulvey asked how this proposed bylaw interfaces with the Subdivision bylaw. Mr. Haines stated this bylaw overrules the Subdivision bylaw and captures everything that was missed in it. He explained that this draft bylaw meets the minimum requirements of the MS4 Permit. Mr. Mulvey expressed concern that conflict or confusion will exist between the existing Subdivision and Stormwater bylaws. He asked the agent to address his concern with the town planner. Mr. Haines stated he will but he believes the Stormwater bylaw contains all that's required for any project of one acre or more. Mr. Mulvey would like it referenced that the Stormwater bylaw is the controlling document. Mr. Haines stated he will discuss his concerns at his next meeting with the town planner.

► Vote to excuse absent members, if necessary – **Mr. Holmes moved, Mr. Ligor seconded to excuse the absent members.** The motion carried. 4-0-0.

► Acceptance of Previous Meeting Minutes – None.

► Report of the Conservation Agent – None.

► Public Comment Period on Non-Agenda Items – Mr. Froman recognized the Commission's limitations. He asked the members to consider attending the Planning Board meeting and the Town Meeting as citizens of the town to express their views on the 21 Hunters Brook Road project. He expressed concern that wildlife will be displaced if this project is approved. Mr. Haines explained that without action at Town Meeting to increase this board's authority, they have no authority.

► Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

► Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Mr. Ligor moved, Ms. Weston seconded to adjourn. The motion carried. 4-0-0. The meeting adjourned at 8:20 PM.

Minutes submitted by: Carol Mitchell



2019 SEP 16 PM 12:21
TOWN OF BOURNE
RECEIVED

CONSERVATION COMMISSION AGENDA
Thursday, September 19, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

1) **Applicant:** Stephen Doran, Bortolotti Construction **File Number:** CC19-31
Representative: Down Cape Engineering
Project Address: 920 Scenic Highway, Bourne
Proposed Project: Jurisdictional determination for a septic installation

2) **Applicant:** Nancy McCarthy **File Number:** CC19-32
Representative: JC Engineering, Inc.
Project Address: 455 Circuit Avenue, Pocasset
Proposed Project: To replace existing septic tank and reconstruction of a sun porch within an AE Flood Zone and within a 100 feet of a wetland resource area

Notice of Intent

1) **Applicant:** James Coull **DEP File Number:** SE7-
Representative: JC Engineering, Inc.
Project Address: 105 Williams Ave, Pocasset
Proposed Project: To upgrade septic system within a 100 feet of a wetland resource area.

2) **Applicant:** Steven and Gina Murray **DEP File Number:** SE7-2072
Representative Falmouth Engineering
Project Address: 37 Beacon Point Road, Pocasset
Proposed Project: To raze and re-construct a single family dwelling, within an AE flood zone, V flood zone and within 100 feet of a wetland resource area
(Continued to September 19, 2019)

Request for Certificate of Compliance

1) **Applicant:** Jeffery & Pamela Seifried **DEP File Number:** SE7-1941
Representative MacLean & Associates Architecture
Project Address: 4 Central Blvd, Monument Beach
Proposed Project: To rebuild and construct a 3 bedroom residence with a deck on existing concrete foundation within an AE Flood zone, within a 100 feet of a wetland resource area and within in 200 feet of a river front.

- ▶ Discussion of Para-gliding on Sagamore Highlands
- ▶ Discussion of Draft Stormwater Bylaw
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

RECEIVED

2019 SEP 27 PM 1:25

TOWN CLERK BOURNE



CONSERVATION COMMISSION AGENDA
Thursday, October 3, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** Janet Black **File Number:** CC19-33
Representative: Cape & islands Engineering, Inc.
Project Address: 72 Elgin Rd, Pocasset
Proposed Project: Proposed driveway and limited clearing within an AE Flood Zone and within a 100 feet of a wetland resource area

Notice of Intent

- 1) **Applicant:** Debra Craig, Trustee **DEP File Number:** SE7-
Representative: Atlantic Design Eng.
Project Address: 206 Phillips Rd, Sagamore Beach
Proposed Project: To raze and rebuild a two bedroom single family dwelling, septic, and associated Landscaping within an AE Flood Zone and within a 100 feet of a wetland resource area

- ▶ Discussion and possible vote on the Department of Integrated Solid Waste Management's (ISWM) articles to be presented at the fall Special Town Meeting on October 28, 2019 related to seeing if the Town will authorize the Board of Selectmen to negotiate acquisition of certain parcels of land in the Town of Bourne for the purpose providing Box Turtle habitat mitigation related to development of the Bourne landfill.
- ▶ Discussion of Violation at 0 Eastward Ave: Alteration of Coastal Dune
- ▶ Discussion of Draft Stormwater Bylaw
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

**Conservation Commission
Meeting Minutes**

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

October 3, 2019

RECORDED
2019 DEC 23 AM 8:40
TOWN HALL LOWER CONFERENCE ROOM

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on October 3, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo, Elise Leduc, Thomas Ligor, Paul Szwed, Susan Weston, M. Peter Holmes and Associate Member Greg Berman.

Excused Members: N/A

Also Present: Sam Haines, Carol Mitchell, Raul Lizardi Rivera, Richard Fisher, Robert Priestley, Dorothy Priestley, Daniel Barrett, Phil Goddard, Mike Hilsinger, Patrick Johnson, Stan Humphries, Jon Atwood, Greg Wirsen, Jim Craig and Debbie Craig.

Request for Determination of Applicability:

1) Applicant: Janet Black
File Number: CC19-33
Representative: Cape & Islands Engineering, Inc.
72 Elgin Road, Pocasset

Proposed driveway and limited clearing within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Raul Lizardi Rivera addressed the members. He described the layout of the vacant lot and the Resources Areas located on the property. He stated the current owners would like to sell the property so Cape & Islands Engineering were hired to design a plan for future development. He understands any future development will have to be presented to the board again. The proposed project will allow the current property owner access to the site with the hopes of selling it.

Agent Comment – Mr. Haines explained it is difficult to apply performance standards to a non-eroding bank, a secondary Coastal Bank; which is 160 feet from any beach with a residential home and a road between the beach and the site. The Coastal Bank surrounds a low point; which appears to have been created by adjacent fill and collects drainage. He doesn't believe the application clearly shows the elevation doesn't provide storm damage or flood control functions; however, when looking at the topography, it's difficult to determine that it is seaward facing. It appears to him to be a hole in the ground and all of the surrounding area are Coastal Banks because of the excavated area. If the Commission feels it's jurisdictional, they will have to consider whether the work will have any impacts on the functions of the Bank; which then calls into question the buildability of the site.

Mr. Rivera added that according to the recorded subdivision plans, the lot has been a recorded lot since 1966.

Board Comment – Mr. Berman asked whether the RDA has to decide whether it's a jurisdictional Coastal Bank. Mr. Haines replied no, this RDA determines whether the clearing of the lot and the installation of a permeable driveway will have any impact on the storm damage prevention or flood control functions. Mr. Rivera mentioned they are not proposing to alter the grade.

Public Comment – Abutter, Richard Fisher, wanted clarification that nothing could go forward in terms of building on this property without further assessment. Mr. Haines

stated that is correct, any proposed building on the lot will have to be presented under a Notice of Intent.

Abutter, Robert Priestley, thinks the property will have to be built up to make it level with the road prior to any future construction. Mr. Rivera stated any proposed building will have to meet current Building Codes and Flood Zone standards.

Dorothy Priestley asked whether the current owner can sell the property as a buildable lot. Mr. Haines stated they can sell the property but will have to return for a determination as to what's allowed to be done on the property. Under a Notice of Intent, the Commission would determine whether construction on the site would adversely impact the surrounding homes.

Mr. Haines reiterated this filing is just for a driveway.

Chm. Gray entertained a motion. **Mr. Holmes moved, Mr. Palumbo seconded a Negative Two Determination.** The motion carried. 6-0-0.

Notice of Intent:

1) Applicant: Debra Craig, Trustee
File Number: SE7-2078
Representative: Atlantic Design Eng.
206 Phillips Rd., Sagamore Beach

To raze and rebuild a two bedroom, single-family dwelling, septic and associated landscaping within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, ECR Delineation Report and DEP Wetlands Change Mapping.

Mike Hilsinger introduced himself and discussed the proposed project. He explained the proposed structure will be set back slightly from the road than what's existing and the footprint will be reduced. Patrick Johnson of Atlantic Design elaborated. Stan Humphries, the coastal geologist, discussed the delineated Resource Areas located on the site.

Agent Comment – Mr. Haines discussed the DEP mapping of the site; which meets Barrier Beach standards as a Coastal Dune. The Commission will have to determine whether Coastal Dune standards have to be met under 310 CMR 10.28 3-5. If not, it must be determined that the land feature no longer provides functions and values of a Coastal Dune. Mr. Haines thinks the proposed structure is more flood compliant and that the

proposed septic system is an upgrade to what's existing He discussed his concerns regarding the depth to ground water at this site vs. the neighboring site and informed the members that the existing shed was permitted under a Building Permit in 2006.

Mr. Haines questioned whether there is a potential that the foundation of the proposed structure would push outwash further landward; impeding movement of Coastal Dune. A discussion ensued.

Board Comment – Chm. Gray asked whether the project is also being reviewed by the Town of Sandwich. The representative stated it is.

Chm. Gray questioned why a solid foundation is being proposed vs. a pile foundation since this is mapped as a Barrier Beach. The representative explained the proposed foundation will be break-away walls and will run perpendicular to the beach and ocean. A discussion ensued.

Mr. Berman thinks it may make sense to construct the proposed structure on piles. He thinks sand could reach this property during a big storm event. Mr. Hilsinger explained that the proposed home will be elevated; however, instead of piles, there will be concrete on two sides and break-away walls front and rear.

Ms. Leduc agreed with Mr. Berman that in an over wash event, sand has the potential of reaching this property. She asked whether the break-away walls will be hinged. Mr. Hilsinger stated they can be hinged. A brief discussion transpired regarding the design of the break-away walls.

Ms. Leduc discussed the lower level of the home, how it will be used and the proposed material for the floor in that area.

Mr. Ligor questioned whether pilings would slow the flow of over wash down during a major storm event.

Ms. Weston. asked whether the applicant prefers break-away walls vs. pilings. Mr. Hilsinger stated the property owner does not want pilings and because the house is not located within a VE Zone, pilings aren't required.

Public Comment – The property owner, Debbie Craig, stated her property is primarily located within the Town of Bourne and only a fraction of property is located within the Town of Sandwich.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 6-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 24, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 4, 5, 6, 7, 9 and the following Additional Special Conditions; ASC (1) dewatering activities of turbid or sediment laden water must be discharged to a temporary or permanent sedimentation basin or treated with appropriate BMP prior to leaving the site. Dewatering activities will not cause nuisance conditions, erosion or adversely impact wetlands, ASC (2) the break-away walls must be hinged so they do not become floating debris during a storm event.

Chm. Gray asked whether the members had further discussion regarding requiring pilings vs. what's being proposed or a cement floor vs. gravel in the lower level.

Mr. Holmes recommended piles. Mr. Palumbo asked whether the home next door is constructed on piles. Mr. Haines stated it isn't; however, there is one house several houses down, toward Sandwich that is constructed on piles. Chm. Gray feels that the board has made its recommendation and unless the dune regulations require the rebuild to be on piles, the architect has submitted an approval design

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 6-0-0.

► Discussion and possible vote on the Department of Integrated Solid Waste Management's (ISWM) articles to be presented at the fall Special Town Meeting on October 28, 2019, related to seeing if the Town will authorize the Board of Selectmen to negotiate acquisition of certain parcels of land in the Town of Bourne for the purpose of providing Box Turtle habitat mitigation related to development of the Bourne landfill.

Materials Reviewed – Landfill Expansion Narrative, Site Photographs, Superimposed Expansion, Mitigation Plan.

Dan Barrett the General Manager of ISWM, along with Phil Goddard discussed the proposed expansion of the landfill; as the current cell being used is the last permitted cell assigned for landfill. Mr. Garrett explained that MEPA, the Massachusetts Environmental Policy Act group, wants to be presented with every possible expansion for this facility now rather than piecemeal. He then briefly summarized the proposed landfill expansion and the proposed mitigation plan; which includes purchasing land from the developers of the proposed Hunters Brook medical complex.

Agent Comment - Mr. Haines discussed the complexities of the proposed mitigation. A lengthy discussion ensued.

Public Comment – None.

Ms. Leduc moved, Mr. Ligor seconded to vote to support the Department of Integrated Solid Waste Management's (ISWM) article to acquire the property for mitigation for Eastern box turtle habitat. The motion carried. 6-0-0.

Mr. Holmes exited the meeting at 8:20 PM.

► Discussion of violation at 0 Eastward Ave.: Alteration of Coastal Dune – Mr. Haines explained while he was performing a site visit at another property off of Beacon's Point, he observed polypropylene sandbags are being used to armor the coastal dune that is located within the development. He spoke with Bob Schofield the president of the homeowner's association about the violation and would like Mr. Berman to visit the site to discuss other options that are available.

Chm. Gray changed the order of the agenda

► Public Comment Period on Non-Agenda Items – John Atwood, a paraglider pilot, asked to respond to an article written by Wicked Local that noted a complaint about paraglider pilots causing erosion at Sagamore Highlands. Mr. Atwood provided background about himself and information about the sport. He also discussed measures taken to avoid impacts to the environment and to neighbors.

Mr. Haines discussed several concerns raised by a neighbor and Commission members regarding potential adverse impacts resulting from paragliding at Sagamore Highlands. After limited discussion, Mr. Haines stated he will add the topic as a future agenda item for further discussion on the matter.

A brief discussion transpired regarding damage being caused by commercial kayaking to Resource Areas at Monks Park.

► Discussion of draft Stormwater Bylaw – After a brief discussion, **Mr. Ligor moved, Ms. Weston seconded to support the article to amend the Zoning Bylaw to incorporate the new stormwater section 3490 which will bring the bylaw into compliance with the MS4 EPA Clean Water Permit.** The motion carried. 5-0-0.

► Vote to excuse absent members, if necessary – None.

► Acceptance of Previous Meeting Minutes – **Ms. Leduc moved, Mr. Ligor seconded to approve the July 11, 2019 meeting minutes as submitted.** The motion carried. 5-0-0.

Ms. Leduc moved, Mr. Ligor seconded to approve the August 1, 2019 meeting minutes as submitted. The motion carried. 5-0-0.

► Report of the Conservation Agent – Mr. Haines mentioned he attended a dredge meeting and Bourne has not been included in any county dredging this year.

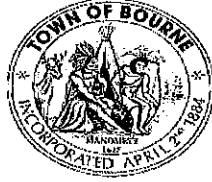
► Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

► Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Mr. Ligor moved, Ms. Leduc seconded to adjourn. The motion carried. 5-0-0. The meeting adjourned at 8:45 PM.

Minutes submitted by: Carol Mitchell



CONSERVATION COMMISSION AGENDA
Thursday, October 17, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

2019 OCT 10 PM 3:20

RECEIVED

RECEIVED

7:00 Request for Determination

- 1) **Applicant:** Back River Bog Co. **File Number:** CC19-34
Representative: Joseph Agrillo
Project Address: 0 & 105 Old Dam Rd, Monument Beach
Proposed Project: To renovate existing, active cranberry bog to include stripping, leveling, squaring off of bog, new irrigation, planting vines, and creating a dike within and AE Flood Zone, 100 feet of a wetland resource area and within 200 feet of a river front

Notice of Intent

- 1) **Applicant:** Elizabeth Adams **DEP File Number:** SE7-
Representative: Falmouth Engineering
Project Address: 2 Plow Penny Rd. Monument Beach
Proposed Project: To restore saltmarsh and enhance buffer within an AE Flood Zone and within 100 ft. of a wetland resource area
- 2) **Applicant:** Lily Pond Overlook Condominium Trust **DEP File Number:** SE7-
Representative: Civil Environmental Engineering
Project Address: Easterly intersection of Williams Ave and Windrush Ave, Pocasset
Proposed Project: To remove and relocate failing retaining wall and guard rail to include road stabilization within a 100 feet of a wetland resource area

3) **Applicant:** James McLaughlin **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 227 Main St., Buzzards Bay
Proposed Project: To renovate and expand existing residential dwelling and create a two story mixed use building within an AE Flood Zone

4) **Applicant:** Donald Bracken **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 49 Herring Pond Rd., Bournedale
Proposed Project: To construct a two car garage with a one bedroom apartment above, upgrade current septic system and install all utilities and appurtenances to include reconstruction of onsite parking within a 100 feet of a wetland resource area and within 200 feet of a river front

Request for Certificate of Compliance

1) **Applicant:** Debra Robbins **DEP File Number:** SE7-1897
Representative Bracken Engineering
Project Address: 14 River Rd. (formerly 13a River Rd.), Bourne
Proposed Project: To construct a single family home including all associate appurtenances land subject to coastal storm flowage, Riverfront Area, and within 100 feet of a wetland resource

Extension Request Order of Conditions

1) **Applicant:** Scraggy Neck Recreation Association **DEP File Number:** SE7-1957
Representative Peter Sterling
Project Address: 301 Scraggy Neck Rd – Causeway, Cataumet
Proposed Project: To reconstruct approximately 522' of rip-rap revetment within a V Flood Zone

- ▶ Discussion of Violation at 11 Observatory Lane: Unpermitted construction of structures and land alteration within 100 foot buffer and ACEC.
- ▶ Update on storm damage from October 10 & 11 Nor'Easter
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

Conservation Commission
Meeting Minutes

Town Hall Lower Conference Room
24 Perry Ave., Buzzards Bay, MA 02532

October 17, 2019

RECEIVED
2019 DEC 23 AM 8:40
TOWN SELECTMAN BOARD

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on October 17, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo, Elise Leduc, Thomas Ligor, Susan Weston, M. Peter Holmes and Associate Member Greg Berman.

Excused Members: Paul Szwed.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Jim Mulvey, Jack Landers-Cauley, Joe Agrillo, John Gallagher, Michael Borselli, Theresa Sprague, Dan Reddy and Scott Jones.

Request for Determination of Applicability:

- 1) Applicant: Back River Bog Co.
File Number: CC19-34

Representative: Joseph Agrillo
0 & 105 Old Dam Rd., Monument Beach

To renovate existing active cranberry bog to include stripping, leveling, squaring off of bog, new irrigation, planting vines and creating a dike within an AE Flood Zone, within 100 feet of a Wetland Resource Area and within 200 feet of a River Front.

Materials Reviewed - Site Photographs, Site Plan of Record, Agriculture Exemption and DEP Wetlands Change Mapping.

Property owner, Joe Agrillo, explained he is proposing a renovation project on an approximate existing 3 acre cranberry bog. He stated the bog is active and harvested yearly. He explained the bog is adjacent to a perennial stream; which has caused an issue with pesticide spraying, fertilizing and water quality, because there's no physical separation from the edge of the bog to the stream. He then summarized the proposed project; which includes, stripping, leveling, installing new irrigation and creating a dike between the bog and stream.

Agent Comment – Mr. Haines explained after performing a site visit, he felt the proposed project required more than an administrative approval. The Commission must determine whether the agriculture exemption applies to the proposed project.

Board Comment – Mr. Holmes asked for the elevation of the bog compared to the saltmarsh and mentioned he is aware there is an existing dam under Old Dam Road; which helps control the water level. Mr. Agrillo does not know the actual elevation of the cranberry bed. The bog is a couple of feet grade and the scupper helps to control the water level; particularly when there's a moon tide.

Mr. Haines stated the entire bog is located within the flood zone so if there's a flood or a seasonal rise, there's the potential of conversion to saltmarsh. Mr. Agrillo explained the proposed dike will give the bog more protection against saltwater back up if the scupper gets stuck open.

Mr. Berman likes the idea of separation. A discussion transpired regarding rainfall and potential flooding impacts on neighboring homes.

Ms. Leduc said it appears that the fringe of the bog will become river edge and outside of the berm. She asked if the intent is to keep it that way. Mr. Agrillo explained the plan is preliminary; some of the edge will be left to restore itself. Ms. Leduc questioned whether erosion controls will be used during construction to prevent material from spilling into

the riverway. Mr. Agrillo replied there is no way to separate the two, because space is limited.

Mr. Ligor asked how the dike will be designed; expressing concern that it will impede wildlife activity. Mr. Agrillo discussed the design of the dike explaining there are similarly constructed dikes in other bog areas that do not impede wildlife movement.

Mr. Haines asked for a construction timeline. Mr. Agrillo would like to begin the dike construction later in the fall, after harvesting. The other work will begin in the spring.

Chm. Gray asked if NRCS is designing a farm plan. Mr. Agrillo stated yes, but he hasn't received the final plan yet. Chm. Gray asked the applicant to submit the final plan once it's received. Mr. Agrillo agreed.

Mr. Berman asked whether a limit of work could be required as a condition. Mr. Haines explained not if the Commission determines the project is exempt. A discussion ensued.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Mr. Palumbo seconded a Negative Five Determination.** The motion carried. 5-0-0.

Notice of Intent:

- 1) Applicant: Elizabeth Adams
File Number: SE7-2080
Representative: Falmouth Engineering
2 Plow Penny Rd., Monument Beach

To restore saltmarsh and enhance buffer within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Saltmarsh and Buffer Restoration Plan and DEP Wetlands Change Mapping.

Michael Borselli of Falmouth Engineering and Theresa Sprague of BlueFlax Design were present on behalf of the applicant. Mr. Borselli stated the agent issued an enforcement order to the property owner because she performed unpermitted work within the saltmarsh by adding sand to create easier access to the water. She hired Falmouth Engineering to restore the saltmarsh. Mr. Borselli explained, while performing a site visit, he also observed that the property owner's lawn maintenance company had been aggressively mowing on the edge of the saltmarsh. Therefore, in conjunction with the

saltmarsh restoration, he is proposing to restore the buffer along the edge of the saltmarsh and install a split rail fence to prevent future mowing of the area. Seasonal grasslands will be planted to restore the site until natural vegetation takes over. Mr. Borselli also discovered that a seasonal pier, ramp and float had been installed historically without a Chapter 91 License. It has been removed and because the property is up for sale, obtaining a Chapter 91 License is currently on hold. He and Ms. Sprague then discussed the proposed project.

Agent Comment – Mr. Haines thought the representative’s explanation of the violation was sufficient. He reiterated that this filing does not cover the dock and pier; that will have to be addressed under a separate filing. He thinks the proposed saltmarsh restoration will be successful and noted that the Commission will have to determine whether they want to condition the Order to allow the mitigated vegetation in the previously mowed buffer area to be maintained at a height of three feet once it starts to mature.

Board Comment – Ms. Weston asked for additional information on the proposed mitigation for the previously mowed area. Mr. Haines provided additional information. Ms. Sprague clarified they are not proposing any maintenance of that vegetation other than reestablishing the buffer. The future property owner understands they will have to request vista pruning under a separate filing if they choose to. Chm. Gray suggested conditioning that in the Order.

Ms. Leduc wants to be sure the proposed saltmarsh vegetation is consistent with what’s currently growing in the area. Ms. Sprague discussed the species of plantings being proposed; all of which currently grow in the area.

Ms. Leduc asked whether a monitoring plan is in place to ensure the newly planted vegetation takes hold and reestablishes correctly. Ms. Sprague stated they did not include an in depth land management plan because they feel the area will revegetate on its own. However, monitoring is something that can be conditioned and a reassessment of the area with the agent at the end of the three-year restoration period may be performed.

Ms. Leduc asked for clarification on the three foot wide path being proposed in the buffer area that leads directly into the restored saltmarsh area. Ms. Sprague explained that’s an existing path and the property owner would like to allow to maintain access to the area.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Ms. Leduc moved, Mr. Holmes seconded to close the public hearing.** The motion carried. 5-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 7, 9, 10, 12, 14, 15, 18, 22, 26, 27, 28, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 4, 6, and the following Additional Special Conditions; ASC (1) the mitigation area as shown on the plan of record shall be protected in perpetuity. No maintenance or vista pruning is allowed without an additional filing with the Conservation Commission, ASC (2) The Order does not permit the placement of any dock and pier on the property. Any review of a dock and pier must occur under a separate Notice of Intent application. Special Condition 15 and Bylaw Condition ASC (1) will continue in perpetuity.

Mr. Palumbo expressed concern that the new property owners may not adhere to the prohibition of vista pruning. A discussion ensued.

Mr. Borselli explained an escrow account has been established to cover the restoration costs. Since this is a multi-year restoration project, he asked whether the funds can be released prior to the Certificate of Compliance being issued. Mr. Haines explained, because this is a violation, the funds should remain in escrow until the project is complete.

Scott Jones, the representative for the new property owners stated they are aware of the situation and are willing to fully cooperate with the Commission.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 5-0-0.

2) Applicant: Lily Pond Overlook Condominium Trust

File Number: SE7-2081

Representative: Civil Environmental Engineering

Easterly intersection of Williams Ave and Windrush Ave., Pocasset

To remove and relocate failing retaining wall and guard rail to include road stabilization within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Survey, Site Plan of Record and DEP Wetlands Change Mapping.

Jack Landers-Cauley described the proposed project.

Agent Comment – Mr. Haines stated he has a lot of concerns about the proposed project; which is why he and the representative visited the site four times. He doesn't like the

stormwater design on the road itself and has concerns over potential impacts to the adjacent Vernal Pool. However, it's imperative the work be performed because the rapidly eroding shoulder imposes a safety issue and will eventually undermine the road. Due to the sensitivity of the Vernal Pool, he recommends that the association hire a monitor to be at the site daily. Mr. Haines would like to review their contractor's qualifications and personally approve the candidate himself. He would also like to be onsite when the work commences and recommends a time of year restriction to prevent impacts to the Vernal Pool during the amphibian breeding season.

Board Comment – Mr. Berman discussed the process that will be used to remove the asphalt. He and Ms. Leduc suggested the erosion control methods be extended by at least thirty feet. Mr. Haines stated he will determine whether the proposed erosion control methods are sufficient once they've been installed.

Mr. Holmes asked how active the pool is. Mr. Haines said he isn't sure but thinks it is fairly active.

Ms. Leduc asked how much land will have to be excavated to accommodate the installation of the wall and wondered whether the excavated soil will be returned. Mr. Landers-Cauley anticipates eighteen inches beyond the face of the wall will be excavated and the soil will not be put back in place. Ms. Leduc would like the existing grades to be restored on the Vernal Pool side of the wall.

Public Comment - None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Ligor moved, Mr. Holmes seconded to close the public hearing.** The motion carried. 5-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 number; 1, 2, 3, 7, 8, 10, 12, 14, 15, 17, 18, 19, 21, 25, 26, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 4, 7 and the following Additional Special Conditions; ASC (1) due to the sensitivity and vicinity of the adjacent Vernal Pool, the Conservation Commission requires daily construction monitoring by a competent monitor approved by department. The monitor must provide the Commission with a report once construction is complete, ASC (2) this Order places a time of year restriction on all work associated with the filing to protect the amphibian populations. No work may occur between March 15th and June 30th, ASC (3) grades on the east side of the retaining wall will be returned to existing grades, to the extent feasible, once construction is complete.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried, 5-0-0.

Chm. Gray recused himself from discussion and vote. Mr. Palumbo chaired the next two hearings.

3) Applicant: James McLaughlin
File Number: SE7-2079
Representative: Bracken Engineering
227 Main St., Buzzards Bay

To renovate and expand existing residential dwelling and create a two story mixed use building within an AE Flood Zone.

Materials Reviewed - Site Photographs, Site Plan of Record, Stormwater Report and DEP Wetlands Change Mapping.

Donald Bracken of Bracken Engineering discussed the proposed project. He explained that the property is subject to coastal storm flowage and will be designed to comply with floodplain requirements per the Zoning Code and FEMA. Because the property is zoned for commercial use, it is subject to meet Stormwater Management Act requirements; therefore, the drainage has been designed to meet those requirements.

Agent Comment – Mr. Haines stated the property is located within the AE Flood Zone only. The performance standards for a commercial building must meet the Stormwater Standards and a stamped stormwater report has been received. He feels this is a straightforward project that doesn't require a peer review. There was an existing garage at the rear of the property that was demolished under a Demo Permit; which the agent administratively approved. Approximately 10,000 sq. ft. of clearing was performed without a permit; however, because this is AE Flood Zone only, he doesn't think the clearing will adversely impact flood control or storm prevention. Therefore, without any performance standards, it falls outside of the Commission's purview. As long as it meets FEMA guidance and the Building Code; he doesn't have any issues with the project.

Board Comment – Ms. Leduc asked if the applicant would consider planting native species vs. the proposed Norway maple. Mr. Bracken explained the project went before the Design Review Board, as part of the planning process, and they suggested a Sugar maple rather than the Norway maple. Ms. Leduc recommended a Red maple since a Sugar maple may not thrive on Cape Cod. Mr. Bracken will discuss her suggestion with the planning staff.

Mr. Palumbo stated he likes the proposed design.

Public Comment – None.

Mr. Palumbo entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 number; 1, 2, 3, 4, 7, 9, 10, 12, 15, 16, 17, 18, 19, 26, 27, 28 and 29.

Mr. Haines explained Special Condition number 26 addresses native species requirements.

Mr. Palumbo entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

4) Applicant: Donald Bracken
File Number: SE7-2082
Representative: Bracken Engineering
49 Herring Pond Rd., Bournedale

To construct a two car garage with a one-bedroom apartment above, upgrade current septic system and install all utilities and appurtenances to include reconstruction of onsite parking within 100 feet of a Wetland Resource Area and within 200 feet of a River Front.

Materials Reviewed - Site Photographs, Site Plan of Record, Nitrogen Loading Calculations Report, River Front Performance Standards for Redevelopment and DEP Wetlands Change Mapping.

Donald Bracken provided a history of the property, described its location and noted the Resource Areas located on and around the property. He then presented the proposed project; which he feels meets the five criteria that's required to meet the standards for redevelopment in a River Front Area. Mr. Bracken then addressed the nitrogen loading calculations as requested by the agent in a previous email.

Agent Comment – Mr. Haines explained his reasoning for requesting the nitrogen loading calculations. He also stated the project falls entirely within the outer 100 feet of the River Front so all the Commission needs to determine is whether the proposed project meets the River Front Performance Standards for Redevelopment. It is his opinion that the project meets the performance standards as designed.

Board Comment – Ms. Leduc asked what the yellow colored area on the plan defines. Mr. Bracken explained that colored area depicts the portion of the new structure over the grassy area located within the River Front.

Ms. Leduc noted the nitrogen loading calculations increased over what's existing and asked how that's an improvement. Mr. Haines stated the proposed system is an improvement over what's existing. A brief discussion transpired regarding other improvements associated with the project.

Public Comment – None.

Mr. Palumbo entertained a motion to close the public hearing. **Mr. Holmes moved, Ms. Leduc seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 number; 1, 2, 3, 5, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 27, 28, 29 Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 4, 5, 6, 7 and 9.

Mr. Palumbo entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

Chm. Gray returned to chair the meeting.

Request for Certificate of Compliance:

- 1) Applicant: Debra Robbins
File Number: SE7-1897
Representative: Bracken Engineering
14 River Rd. (formerly 13a River Rd.) Bourne

To construct a single family home including all associated appurtenances land subject to coastal storm flowage, Riverfront Area and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Site Plan of Record.

Agent Comment – A site visit was performed. Mr. Haines observed there wasn't a boundary between the restoration area and the lawn which was required under the amended Order of Conditions. He stated the applicant is requesting relief from that condition because they feel the patio is enough of a demarcation.

Board Comment – Ms. Leduc asked whether they were supposed to build their patio in the footprint that it was built in. Mr. Haines stated no; however, there's additional mitigation in other areas that wasn't previously required. A brief discussion transpired regarding that vegetation mitigation.

Mr. Berman asked whether the patio is pervious. Mr. Haines stated yes, it is pavers. Mr. Berman asked whether the driveway was permitted. Mr. Haines stated the driveway was permitted. He then provided details about the amended Order.

A brief discussion transpired regarding the relief request. Ms. Leduc feels that the because the property owner strayed numerous times from the proposed scope of work, the relief request should be denied. Ms. Weston agreed. **Ms. Leduc moved, Mr. Ligor seconded to deny the issuance of a Certificate of Compliance until the applicant installs five of the six concrete bounds that were required under the Amended Order of Conditions.** The motion carried. 5-0-0.

Extension Request Order of Conditions:

1) Applicant: Scraggy Neck Recreation Association

File Number: SE7-1957

Representative: Peter Sterling

301 Scraggy Neck Rd., Causeway, Cataumet

To reconstruct approximately 522' of riprap revetment within a V Flood Zone.

Agent Comment – Mr. Haines explained the revetment was built in compliance of the Order; however, minor adjustments may be necessary with the agent's oversight in the event of movement during a major storm event.

Board Comment – Mr. Berman does not want this to be a precedent for everyone building a revetment. Ms. Leduc thinks the revetment should have been built accordingly and asked whether it was designed correctly. Mr. Haines stated it was built in compliance; however, the planted grass hasn't been established yet, so he thought it was reasonable to extend the Order.

Ms. Leduc asked whether the agent will have to be notified prior to any minor modifications being performed. After a brief discussion, **Mr. Ligor moved, Mr. Holmes seconded to grant a one year extension.** The motion carried. 4-1-0. Mr. Palumbo opposed.

- ▶ Discussion of Violation at 11 Observatory Lane: Unpermitted construction of structures and land alteration within 100 foot buffer and ACEC – Mr. Haines noticed the violation at 11 Observatory Lane while addressing a violation at 9 Observatory Lane. While reviewing aerial photographs, he observed additional violations. He stated the property owner responded to the agent’s violation letter and will meet with the agent on October 18th to walk the property and discuss the violations.
- ▶ Update on storm damage from October 10 & 11 Nor’easter – Mr. Haines stated the storm damage was minimal.
- ▶ Vote to excuse absent members, if necessary – **Mr. Ligor moved, Mr. Holmes seconded to excuse the absent member.** The motion carried. 5-0-0.
- ▶ Acceptance of Previous Meeting Minutes – **Mr. Holmes moved, Mr. Ligor seconded to approve the August 15, 2019 meeting minutes as submitted.** The motion carried. 5-0-0.
- ▶ Report of the Conservation Agent – None.
- ▶ Public Comment Period on Non-Agenda Items – John Gallagher representing the New England Paragliding Hang Gliding Club wanted to address complaints the Commission received regarding paragliding that occurs at Sagamore Highlands. Chm. Gray asked that Mr. Gallagher return to discuss the matter on November 7th. This will allow for public input. Mr. Gallagher agreed.
- ▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Mr. Palumbo moved, Mr. Holmes seconded to adjourn. The motion carried. 5-0-0. The meeting adjourned at 8:55 PM.

Minutes submitted by: Carol Mitchell



CONSERVATION COMMISSION AGENDA
Thursday, November 7, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

TOWN CLERK BOURNE

2019 OCT 31 PM 2:59

RECEIVED

7:00 Request for Determination

1) **Applicant:** Franklin Beveridge **File Number:** CC19-35
Representative: Falmouth Engineering
Project Address: 95 South Rd., Pocasset
Proposed Project: To remove and replace two timber pilings within and AE Flood Zone, V Flood Zone and within 100 feet of a wetland resource area at 95 South Rd., Bourne

2) **Applicant:** David Butler **File Number:** CC19-36
Representative: Flaherty & Stefani, Inc.
Project Address: 21 Phillips Rd. Sagamore Beach
Proposed Project: To replace failed cesspool system within 100 feet of a wetland resource area

Notice of Intent

1) **Applicant:** Richard West **DEP File Number:** SE7-2083
Representative: Merrill Engineers and Land Surveyors
Project Address: 18D Windy Hill Rd. Buzzards Bay
Proposed Project: To raze and rebuild a single family dwelling within 100 ft. of a wetland resource area

2) **Applicant:** Tony A. Cubellis **DEP File Number:** SE7-
Representative: Bracken Engineering
Project Address: 4 Kettle Lane, Bourne
Proposed Project: To construct a single family dwelling, Title V septic system, including all associated landscaping, grading, utilities, and appurtenances within a 100 ft. of a wetland resource area.

- 3) **Applicant:** Vincent P. Michienzi, Sr. **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 100 Main Street, Buzzards Bay
Proposed Project: To remove onsite parking, construction of a building addition, and associated onsite patio within in an AE Flood Zone and within a 100 ft. of a wetland resource
- 4) **Applicant:** Champ A. Fisher Jr **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 4 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within a 100 ft. of a wetland resource area
- 5) **Applicant:** Sarah Fisher **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 8 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within a 100 ft. of a wetland resource
- 6) **Applicant:** Sarah Fisher **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 10 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood and within a 100 ft. of a wetland resource area
- 7) **Applicant:** Candace Fisher **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 6 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, native vegetative plantings, and stair construction within a V Flood and within a 100 ft. of a wetland resource area
- 8) **Applicant:** Mark A Puccio **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 88 Sagamore Road, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, and native vegetative plantings within a V Flood Zone and within a 100 ft. of a wetland resource area

- 9) **Applicant:** Robert Gendron **DEP File Number:** SE7-
Representative Bracken Engineering
Project Address: 16 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir rolls, native vegetative plantings, and sand nourishment as well as stair reconstruction within a V Flood Zone and within a 100 ft. of a wetland resource

Request for Certificate of Compliance

- 1) **Applicant:** Jeffrey & Pamela Seifried **DEP File Number:** SE7-1941
Representative David MacLean & Associates
Project Address: 4 Central Blvd., Monument Beach
Proposed Project: Raze and rebuild of a 3 bedroom dwelling with an enclosed porch within an AE Flood Zone and within a 100 ft. of a wetland resource area.
- 2) **Applicant:** Michelle Viotty **DEP File Number:** SE7-1856
Representative JC Engineering
Project Address: 39 Phillips Rd., Sagamore Beach
Proposed Project: Construction of a 75 linear ft. of a stone revetment with splash pad, fill, salt tolerant grasses and shrubs with in a V Flood Zone and within 100 ft. of a wetland resource area.
- 3) **Applicant:** Daniel & Robin Pucillo **DEP File Number:** SE7-2042
Representative Falmouth Engineering
Project Address: 80 Old Damn Road, Bourne
Proposed Project: To renovate an existing dwelling and construction of a new septic system.

Extension Request Order of Conditions

- 1) **Applicant:** Joseph Tardif **DEP File Number:** SE7-1961
Representative Self
Project Address: 0 Monument Neck Rd., Gray Gables
Proposed Project: Construction of a single family residence and a nitrogen removal septic system within an AE Flood Zone and 100 ft. of a wetland resource area.

- ▶ Violation at 11 Observatory Lane: Unpermitted construction of structures and land alteration within 100 foot buffer and ACEC.
- ▶ Violation of Order SE7-1976 at 50 Lewis Point: Unpermitted land alteration within 100 foot buffer to a coastal bank.
- ▶ Violation at 0 Alona Ave., 0 Phinneys Harbor, and 20 Worcester Ave: Unpermitted alteration of coastal dune vegetation.
- ▶ Vote -- Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

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2020 MAR 11 AM 7:35

TOWN CLERK BOURNE

Conservation Commission Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

November 7, 2019

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on November 7, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo, Elise Leduc, Susan Weston and Associate Member Greg Berman.

Excused Members: Paul Szwed, Tom Ligor and M. Peter Holmes.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Zachary Basinski, Michael Borselli, Peter Meier (7:35), Wanda Corn, Joseph Corn, Mark Flaherty, Joshua Green

Request for Determination of Applicability:

- 1) Applicant: Franklin Beveridge
File Number: CC19-35
Representative: Falmouth Engineering

95 South Rd., Pocasset

To remove and replace two timber pilings within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Chapter 91 License and DEP Wetlands Change Mapping.

The representative, Michael Borselli, addressed the members and described the proposed project. He stated a contractor with a barge is currently performing work at Kingman Marina and the property owner would like to use the barge to assist with this project.

Agent Comment – Mr. Haines reviewed the site and feels there is sufficient water for the barge to work in. He doesn't anticipate any risks to the saltmarsh because it is a good distance away. The site was mapped for eel grass in 2006 but hasn't been included in any subsequent mapping by the state; therefore, he did not identify any issues with the proposed project.

Board Comment – None.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Palumbo moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 4-0-0.

2) Applicant: David Butler
File Number: CC19-36
Representative: Flaherty and Stefani, Inc.
21 Phillips Rd., Sagamore Beach

To replace failed cesspool system within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Revised Site Plan of Record, and DEP Wetlands Change Mapping.

Mark Flaherty described the layout of the property and summarized the proposed project.

Agent Comment – Mr. Haines stated the new system will be placed as far away from the Resource Area as feasible. He requested a revised plan be submitted labeling the 50 and 100 foot buffer. The health agent informed him that a perc test was performed and the results were satisfactory. There was a question regarding the design of the system, which he will address that under an administrative approval.

Board Comment – None.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Palumbo moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 4-0-0.

Notice of Intent:

1) Applicant: Richard West

File Number: SE7-2083

Representative: Merrill Engineers and Land Surveyors

18 D Windy Hill Rd., Buzzards Bay

To raze and rebuild a single family dwelling within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Joshua Green, the design engineer, described the proposed project, erosion control methods that will be used and the proposed structure's proximity to the Coastal Bank.

Agent Comment – Mr. Haines suggested drywells be installed as a means of improving drainage at the site; however, after speaking with the engineers, there isn't sufficient space for them.

Board Comment – Ms. Weston asked whether the proposed structure will be within the same footprint. Mr. Green replied that the overall size of the proposed structure is relatively the same. She asked whether Hideaway Village requires a rebuilt structure be constructed within the same footprint. Mr. Haines explained that applies only if the property is located within the Velocity Zone.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Ms. Leduc moved, Mr. Palumbo seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 number; 1, 2, 3, 7, 9, 11, 12, 14, 15, 18, 19, 21, 24, 27 and 28.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Ms. Weston moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

Chm. Gray recused himself from discussion and vote. Mr. Palumbo chaired the next several hearings.

2) Applicant: Tony A. Cubellis
File Number: SE7-
Representative: Bracken Engineering
4 Kettle Lane, Bourne

To construct a single family dwelling, Title V septic system, including all associated landscaping, grading, utilities and appurtenances within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Zachary Basinski described the location of the property, the Resource Areas that are located on the property and the proposed project.

Agent Comment – Mr. Haines stated the wetland is a high value seasonal wetland and has a high potential for Vernal Pool habitat so he recommended a 50-foot no touch setback and a Vernal Pool survey be conducted during the spring amphibian breeding season as a condition of the Order. The site contains a very steep topography so he also recommended a condition be added to the Order requiring the erosion control installation be reviewed by the agent prior to any construction. A DEP file number has not been issued; therefore, the matter will have to be continued.

Board Comment – Ms. Weston asked whether the proposed swimming pool is part of this filing. Mr. Basinski stated it is part of this filing.

Mr. Palumbo asked whether the proposed swimming pool is the only work being performed within the 100-foot buffer. Mr. Basinski stated everything but the proposed house is located within the 100-foot buffer.

Ms. Leduc expressed support of the agent's suggestion of a 50-foot no touch setback.

Public Comment - None.

The matter was continued to November 21, 2019.

(3) Applicant: Vincent P. Michienzi Sr.
File Number: SE7-
Representative: Bracken Engineering
100 Main St., Buzzards Bay

To remove onsite parking, construction of a building addition and associated onsite patio within an AE Flood Zone.

Materials Reviewed - Site Photographs, Site Plan of Record, Stormwater and DEP Wetlands Change Mapping.

Zachary Basinski described the proposed project; explaining it has been reviewed and approved by the Planning Board. He also discussed how the project will meet the Stormwater Management Act.

Agent Comment – Mr. Haines expressed approval that the sheds and dumpsters that had been placed on town owned property will be removed as part of this project. Overall, he is happy with the design of the project but expressed concern regarding the proposed work within the road layout, which goes beyond a typical driveway opening. He suggested conditioning the Order requiring the DPW director approve all work within the road layout. Since a DEP file number has not been issued, the matter will be continued to November 21, 2019.

Board Comment – Mr. Berman clarified that the building cost will be 50% of the existing cost of the building. Mr. Basinski stated that is what the architect has certified.

Ms. Leduc asked whether the reduction in impervious surface is because the existing paved parking lot is being removed. Mr. Basinski stated that is correct. She asked what material the proposed patio will consist of. Mr. Basinski stated the proposed patio will be stone paver units and will be less square footage than the existing parking area. He explained that a retention system will collect the runoff underneath and will recharge onsite.

Ms. Leduc asked whether a solid sidewalk will be constructed to replace the existing curb cut. Mr. Basinski stated that is correct. A brief discussion transpired regarding the proposed on-street, parallel parking.

Public Comment – None.

With no further discussion, the matter was continued to November 21, 2019.

Mr. Palumbo announced that filings #4 through #9 will be opened and discussed collectively; however, because file numbers have not been issued, the matters will be continued.

Mr. Palumbo opened the hearings.

- 4) Applicant: Champ A. Fisher Jr.
File Number: SE7-
Representative: Bracken Engineering
4 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetation plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Coir Envelope Narrative, FEMA Flood Map and DEP Wetlands Change Mapping.

- 5) Applicant: Sarah Fisher
File Number: SE7-
Representative: Bracken Engineering
8 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetation plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Coir Envelope Narrative, FEMA Flood Map and DEP Wetlands Change Mapping.

- 6) Applicant: Sarah Fisher
File Number: SE7-
Representative: Bracken Engineering
10 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetation plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Coir Envelope Narrative, FEMA Flood Map and DEP Wetlands Change Mapping.

- 7) Applicant: Candace Fisher
File Number: SE7-
Representative: Bracken Engineering
6 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, native vegetation plantings and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Coir Envelope Narrative, FEMA Flood Map, Stone Revetment Design and DEP Wetlands Change Mapping.

8) Applicant: Mark A. Puccio
File Number: SE7-
Representative: Bracken Engineering
88 Sagamore Rd., Sagamore Beach

To install coastal stabilization measures including a stone revetment, jute netting, coir rolls and native vegetation plantings within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Coir Envelope Narrative, FEMA Flood Map, Stone Revetment Design and DEP Wetlands Change Mapping.

9) Applicant: Robert Gendron
File Number: SE7-
Representative: Bracken Engineering
16 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir rolls, native vegetative plantings and sand nourishment as well as stair reconstruction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Coir Envelope Narrative, FEMA Flood Map and DEP Wetlands Change Mapping.

Zachary Basinski addressed the members and provided an overview of the proposed treatment to stabilize the Bank from 88 Sagamore Road up to 16 Fisher Lane. He explained four of the six homes are proposing coir envelope systems and two are proposing typical revetments. Mr. Basinski discussed site access and a construction timeline. He mentioned feedback has not yet been received from The Natural Heritage and Endangered Species Program. He also requested the members perform an on-site inspection.

Agent Comment – Mr. Haines was in agreement that a site visit should be planned. He said, according to the assessor's records, 88 Sagamore was constructed in 1951, 4 Fisher is undeveloped, 6 Fisher was constructed in 1976, 8 Fisher was constructed in 2006, 10

Fisher is undeveloped and 16 Fisher was constructed in 1981. Mr. Haines discussed concerns he has regarding access to the site and concerns about rebuilding a Coastal Bank of this size. Another issue that will have to be addressed is the proposed sand nourishment. Mr. Haines stated the Commission will have to determine whether the proposed coastal access stairs at properties 4 and 10 is permissible because they are both undeveloped properties. He thinks upland erosion should also be addressed in each filing, as much of the erosion is coming from the top of the Bank, not just the bottom. A DEP file number has not been issued and input from The Natural Heritage and Endangered Species Program has yet to be received.

Board Comment – Ms. Weston wondered whether a peer review should be considered. Mr. Haines stated he has discussed the likelihood that a peer review may be requested with the representative.

Mr. Berman discussed his concerns regarding future access for sand nourishment. He asked what the slats of the proposed sand fence will be made of and what the proposed dimensions of the slats will be. Mr. Basinski stated they are proposed to be wood and the dimensions will be 2x4 slats. Mr. Berman also discussed the importance of keeping the coir envelopes covered.

Ms. Leduc and Mr. Berman asked the representative to submit additional information showing how the coir envelopes and the proposed revetments will blend together.

Mr. Berman asked the representative to describe the proposed tube tethers. Mr. Basinski stated the tethers will be a nylon strap, similar to a ratchet strap.

Ms. Leduc asked whether the representative is proposing to install coir logs in a zig zag formation down the entire Bank. Mr. Basinski stated yes and they will be staked down.

Ms. Leduc opened a brief discussion regarding the proposed cobble berm, the proposed mitigation nourishment and the proposed planting plan.

Ms. Leduc suggested the representative discuss with the properties owners the possibility of establishing an escrow account to cover future maintenance costs. A discussion ensued.

After a brief discussion, the on-site date was scheduled for November 23, 2019 at 8:30 AM.

Public Comment – A member of the audience asked whether the site visit is open to the public. Mr. Haines stated members of the public would have to obtain permission from

the property owners to access the site because it is private property. However, the members will meet at the boat ramp for public discussion after the site walk.

With no further discussion, the matter was continued to December 5, 2019.

Request for Certificate of Compliance:

- 1) Applicant: Jeffrey & Pamela Seifried
File Number: SE7-1941
Representative: David MacLean & Associates
4 Central Blvd., Monument Beach

Raze and rebuild of a 3 bedroom dwelling with an enclosed porch within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Agent Comment – A site visit was performed on November 6, 2019, and the building inspector performed a final inspection. Mr. Haines recommended issuing the Certificate of Compliance.

Board Comment – None.

Ms. Weston moved, Ms. Leduc seconded issuing the Certificate of Compliance. The motion carried 3-0-0.

- 2) Applicant: Michelle Viotty
File Number: SE7-1856
Representative: JC Engineering
39 Phillips Rd., Sagamore Beach

Construction of a 75 linear ft. stone revetment with splash pad, fill, salt tolerant grasses and shrubs within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Agent Comment – A site visit was performed and to the best of his knowledge, it appears as designed. Mr. Haines recommended issuance.

Ms. Weston moved, Ms. Leduc seconded issuing the Certificate of Compliance. The motion carried 3-0-0.

Chm. Gray returned to chair the meeting.

- 3) Applicant: Daniel & Robin Pucillo
File Number: SE7-2042

Representative: Falmouth Engineering
80 Old Dam Rd., Bourne

To renovate an existing dwelling and construction of a new septic system.

Agent Comment – A site visit was performed on November 6, 2019. The building inspector and the health agent performed final inspections. Mr. Haines recommended issuing the Certificate of Compliance.

Ms. Weston moved, Ms. Leduc seconded issuing the Certificate of Compliance. The motion carried 4-0-0.

Extension Request Order of Conditions:

1) Applicant: Joseph Tardif
File Number: SE7-1961
Representative: Self
0 Monument Neck Rd., Gray Gables

Construction of a single family residence and a nitrogen removal septic system within an AE Flood Zone and 100 Feet of a Wetland Resource Area.

Agent Comment – Mr. Haines explained this has been a slow process. Other than some minor site work, nothing's been done to date. The property owner is asking for a two-year extension. He doesn't see any reason not to allow it.

Ms. Weston moved, Mr. Palumbo seconded to grant the two-year extension. The motion carried 4-0-0.

► Violation at 11 Observatory Lane: Unpermitted construction of structures and land alteration within 100 foot buffer and ACEC –

Agent Comment - Mr. Haines provided a brief update. The homeowner has contracted with Bracken Engineering and as long as the property owner continues to move forward, he doesn't feel enforcement is needed.

Board Comment – None.

Mr. Basinski stated he intends to have a filing ready in December. Mr. Haines added there may also be ZBA issues. A discussion ensued.

- ▶ Violation of Order SE7-1976 at 50 Lewis Point: Unpermitted land alteration within 100 foot buffer to a Coastal Bank –

Materials Reviewed - Site Photographs.

Mr. Haines explained that under the Order, it was expected that a certain area of the property would not be converted to lawn. However, an area outside the limit of work has been converted to turf grass; so, a violation letter has been issued. A planting plan and a restoration plan will have to be submitted.

Mr. Basinski informed the members he is waiting to hear back from the property owner.

Chm. Gray asked whether the property owner lives at the property year-round. Mr. Basinski stated he does live there year-round.

- ▶ Violation at 0 Alona Ave., 0 Phinneys Harbor and 20 Worcester Ave: Unpermitted alteration of coastal dune vegetation –

Materials Reviewed - Site Photographs.

Agent Comment – Mr. Haines stated he received an anonymous complaint regarding an unpermitted coastal dune alteration. He reviewed historical aerial photographs and observed evidence of mowing, vegetation scraping was performed to expand their beach and boats have been placed on the dune. Mr. Haines issued violation letters to all property owners because he wasn't sure which property owner committed the violations. He has spoken to the 0 Phinneys property owner but hasn't heard from the other two yet. A discussion ensued.

- ▶ Vote to excuse absent members, if necessary – **Ms. Leduc moved, Ms. Weston seconded to excuse the absent members.** The motion carried. 4-0-0.
 - ▶ Acceptance of Previous Meeting Minutes – Deferred.
 - ▶ Report of the Conservation Agent – None.
 - ▶ Public Comment Period on Non-Agenda Items – Mr. Nelson opened a brief discussion regarding vegetation removal and lighting concerns at the Hampton Inn located in Buzzards Bay.
- Mr. Meier acknowledged the members and thanked them for their efforts.
- ▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

► Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

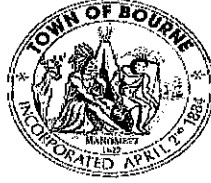
Mr. Palumbo moved, Ms. Leduc seconded to adjourn. The motion carried, 4-0-0. The meeting adjourned at 8:22 PM.

Minutes submitted by: Carol Mitchell

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TOWN CLERK BOURNE



CONSERVATION COMMISSION AGENDA
Thursday, November 21, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** Colonial Gas Company **File Number:** CC19-37
Representative Tighe & Bond
Project Address: 1 Maple Ave, Cataumet
Proposed Project: To install a residential gas service line from the existing gas main to the residence within an AE flood zone, V flood zone and within a 100 feet of a wetland resource area at area
- 2) **Applicant:** Peter and Melissa Piscia **File Number:** CC19-38
Representative: Cape & Islands Engineering, Inc.
Project Address: 46 Monument Avenue, Monument Beach
Proposed Project: To upgrade failed cesspool system within an AE Flood Zoned and within a 100 feet of a wetland resource

Notice of Intent

- 1) **Applicant:** Tony A. Cubellis **DEP File Number:** SE7-2085
Representative Bracken Engineering
Project Address: 4 Kettle Lane, Buzzards Bay
Proposed Project: To construct a single family dwelling, Title V septic system, including all associated landscaping, grading, utilities, and appurtenances within a 100 ft. of a wetland resource area.
(Continued from 11.07.19)

2) **Applicant:** Vincent P. Michienzi, Sr. **DEP File Number:** SE7-2084
Representative Bracken Engineering
Project Address: 100 Main Street, Buzzards Bay
Proposed Project: To remove onsite parking, construction of a building addition, and associated onsite patio within in an AE Flood Zone
Hearing Under State Act Only (Continued from 11.07.19)

3) **Applicant:** Marjory Baruch & Wu-Teh Hsiang **DEP File Number:** SE7-2092
Representative David MacLean
Project Address: 9 Captains Row, Mashnee
Proposed Project: To construct a 3 bedroom residence, septic system, landscape development and mitigation within a V Flood Zone and within a 100 ft. of a wetland resource area

4) **Applicant:** Donald M. Duberger, Tr. **DEP File Number:** SE7-
Representative J.E. Landers-Cauley
Project Address: 760 Shore Rd., Pocasset
Proposed Project: To expand and convert a sunroom to year round, construct a new deck, upgrade septic system to a three bedroom system, and removal of trees within an AE Flood Zone and within a 100 ft. of a wetland resource area

Amended Order of Conditions

1) **Applicant:** Katherine Burke **DEP File Number:** SE7- 2073
Representative Falmouth Engineering
Project Address: 219 Scraggy Neck Road, Cataumet
Proposed Project: To include revised regraded fill area, sloped face retaining wall, patio, pergola and a security fence around the pool within an AE flood zone and within 100 feet of a wetland resource area

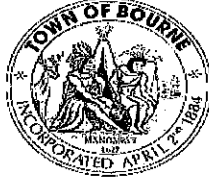
2) **Applicant:** John C. Dawley **DEP File Number:** SE7- 2041
Representative Bracken Engineering
Project Address: 276 Scraggy Neck Road, Cataumet
Proposed Project: To include revised house foot print, revised deck and stoops, installation of new landscape walls, revised grading, installation of timber landscape stairs, patio and walk ways; and revised layout of supplemental planting areas within an AE Flood Zone, V Flood Zone and within a 100 ft. of a wetland resource area.

- ▶ Violation of Order SE7-1976 at 50 Lewis Point: Unpermitted land alteration within 100 foot buffer to a coastal bank.
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16.

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2019 NOV 19 AM 9:26

TOWN CLERK BOURNE



AMENDED
CONSERVATION COMMISSION AGENDA
Thursday, November 21, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** Colonial Gas Company **File Number:** CC19-37
Representative Tighe & Bond
Project Address: 1 Maple Ave, Cataumet
Proposed Project: To install a residential gas service line from the existing gas main to the residence within an AE flood zone, V flood zone and within a 100 feet of a wetland resource area at area
- 2) **Applicant:** Peter and Melissa Piscia **File Number:** CC19-38
Representative: Cape & Islands Engineering, Inc.
Project Address: 46 Monument Avenue, Monument Beach
Proposed Project: To upgrade failed cesspool system within an AE Flood Zoned and within a 100 feet of a wetland resource area

Notice of Intent

- 1) **Applicant:** Tony A. Cubellis **DEP File Number:** SE7-2085
Representative Bracken Engineering
Project Address: 4 Kettle Lane, Buzzards Bay
Proposed Project: To construct a single family dwelling, Title V septic system, including all associated landscaping, grading, utilities, and appurtences within a 100 ft. of a wetland resource area.
(Continued from 11.07.19)

2) **Applicant:** Vincent P. Michienzi, Sr. **DEP File Number:** SE7-2084
Representative Bracken Engineering
Project Address: 100 Main Street, Buzzards Bay
Proposed Project: To remove onsite parking, construction of a building addition, and associated onsite patio within in an AE Flood Zone
Hearing Under State Act Only (Continued from 11.07.19)

3) **Applicant:** Marjory Baruch & Wu-Teh Hsiang **DEP File Number:** SE7-2092
Representative David MacLean
Project Address: 9 Captains Row, Mashnee
Proposed Project: To construct a 3 bedroom residence, septic system, landscape development and mitigation within a V Flood Zone and within a 100 ft. of a wetland resource area

4) **Applicant:** Donald M. Duberger, Tr. **DEP File Number:** SE7-
Representative J.E. Landers-Cauley
Project Address: 760 Shore Rd., Pocasset
Proposed Project: To expand and convert a sunroom to year round, construct a new deck, upgrade septic system to a three bedroom system, and removal of trees within an AE Flood Zone and within a 100 ft. of a wetland resource area

Amended Order of Conditions

1) **Applicant:** Katherine Burke **DEP File Number:** SE7- 2073
Representative Falmouth Engineering
Project Address: 219 Scraggy Neck Road, Cataumet
Proposed Project: To include revised regraded fill area, sloped face retaining wall, patio, pergola and a security fence around the pool within an AE flood zone and within 100 feet of a wetland resource area

2) **Applicant:** John C. Dawley
Representative Bracken Engineering

DEP File Number: SE7- 2041

Project Address: 276 Scraggy Neck Road, Cataumet

Proposed Project: To include revised house foot print, revised deck and stoops, installation of new landscape walls, revised grading, installation of timber landscape stairs, patio and walk ways; and revised layout of supplemental planting areas within an AE Flood Zone, V Flood Zone and within a 100 ft. of a wetland resource area.

▶ Violation of Order SE7-1976 at 50 Lewis Point: Unpermitted land alteration within 100 foot buffer to a coastal bank.

▶ Paragliding at Sagamore Highlands

▶ Vote – Excuse Absent Members, if necessary

▶ Acceptance of Previous Meeting Minutes:

▶ Report of the Conservation Agent:

▶ Public Comment Period on Non-Agenda Items

▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99

▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

RECEIVED

2020 MAR 11 AM 7:37

TOWN CLERK BOURNE

Conservation Commission Meeting Minutes

Town Hall Lower Conference Room
24 Perry Ave., Buzzards Bay, MA 02532

November 21, 2019

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on November 21, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo (7:09 PM), Elise Leduc, Paul Szwed, Tom Ligor, M. Peter Holmes and Susan Weston.

Excused Members: Associate Member Greg Berman.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Zachary Basinski, Raul Lizardi, Jack Landers-Cauley, David MacLean, Dharshini Joseph, Amanda Houle, Paul Miskovsky, John Gallagher, Dan Reddy, Mike Powers and Liana DiMunzio.

Request for Determination of Applicability:

1) Applicant: Colonial Gas Company

File Number: CC19-37

Representative: Tighe & Bond

1 Maple Ave, Cataumet

To install a residential gas service line from the existing gas main to the residence within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Amanda Houle of Tighe & Bond described the proposed project.

Agent Comment -- Mr. Haines stated a home is currently being constructed under an approved Order of Conditions. He explained the proposed work will be conducted between two salt marshes and suggested BMPs be used on both sides of the trench. Ms. Houle discussed the erosion control and dewatering methods that will be used and she'll provide the details in writing to the agent.

Board Comment -- Chm. Gray asked whether there is sufficient room to install the main gas line without disturbing the saltmarsh. Ms. Houle stated there is, explaining the gas line will be installed within the roadway. Mr. Haines suggested coordinating the work with the tides. Chm. Gray agreed.

Mr. Ligor noted the proposed house will be elevated and asked how the gas line will be insulated when it's run into the house. Ms. Houle said she is unsure but will provide that information to the agent once she has an answer.

Public Comment -- None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 5-0-0.

2) Applicant: Peter and Melissa Piscia

File Number: CC19-38

Representative: Cape & Islands Engineering, Inc.

46 Monument Avenue, Monument Beach

To upgrade failed cesspool system within an AE Flood Zone and 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, and DEP Wetlands Change Mapping.

Raul Lizardi described the proposed project.

Board Comment – Mr. Holmes asked for the number of bedrooms. Mr. Lizardi stated this is a six bedroom home.

Agent Comment – Mr. Haines explained he had asked the agent for clarifications on the plan surrounding the hatched lines and of the setback to the water course. He feels the proposed upgrade will be an improvement over what's existing and is comfortable with the project as proposed as long as it isn't extended seaward. However, if the system has to be installed within the conceptual area, he will have concerns over erosion and sedimentation going into the water body.

Mr. Lizardi referred to the plan to address the agent's concern.

Board Comment – Ms. Leduc asked whether the representative will have to return with an amendment if it's determined that the upgraded system will have to be installed within the conceptual area. Mr. Haines stated the representative will have to request an amendment.

Mr. Szwed asked the representative to explain where the limits of the current system are. Mr. Lizardi explained it is within the footprint of the proposed system and the thin dashed line on the plan depicts the existing system.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 6-0-0.

Notice of Intent:

- 1) Applicant: Tony A. Cubellis
File Number: SE7-2085
Representative: Bracken Engineering
4 Kettle Lane, Buzzards Bay

To construct a single family dwelling, Title V septic system, including all associated landscaping, grading, utilities and appurtenances within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

(Continued from November 7, 2019)

Agent Comment – Mr. Haines explained the matter was continued for file number only.

Chm. Gray entertained a motion to close the public hearing. **Ms. Leduc moved, Mr. Palumbo seconded to close the public hearing.** The motion carried. 6-0-0.

Agent - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 3, 4, 5, 6, 7, and the following Additional Special Conditions; ASC (1) the vegetated wetland will be inspected by a wetland scientist or other qualified biologist during the 2020 amphibian breeding season to determine if the wetland contains the biological and physical characteristics of a Vernal Pool under The Natural Heritage and Endangered Species Program guidelines for the certification of Vernal Pool habitat. The documentation from the site inspection will be provided to the Bourne Conservation Department.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Ms. Weston seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 6-0-0.

(2) Applicant: Vincent P. Michienzi Sr.

File Number: SE7-2084

Representative: Bracken Engineering

100 Main St., Buzzards Bay

To remove onsite parking, construction of a building addition and associated onsite patio within an AE Flood Zone.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

(Hearing Under State Act Only. Continued from November 7, 2019)

Chm. Gray stated the matter was continued for file number only.

Chm. Gray entertained a motion to close the public hearing. **Mr. Palumbo moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 6-0-0.

Agent - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 7, 9, 10, 12, 15, 17, 18, 19, 27, 28, and 29.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 6-0-0.

3) Applicant: Marjory Baruch & Wu-The Hsiang
File Number: SE7-2092
Representative: David MacLean
7 Captains Row, Mashnee

To construct a three-bedroom residence, septic system, landscape development and mitigation within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Revised Site Plan of Record, Landscape Plan, Landscape Drawing, Blank Indemnity Agreement with Mashnee Island Association, Cape Cod Cooperative Extension Plant List and DEP Wetlands Change Mapping.

Mr. Haines clarified there is an existing home on the property, so the project is a raze and rebuild.

The representative, David McLean, introduced landscape architect Dharshini Joseph and Rob Dewar of Bracken Engineering. Mr. McLean stated the existing home is dilapidated, filled with black mold and is currently located within the Velocity Zone. The proposed house will be constructed within the X Zone, not the Velocity Zone. However, the proposed detached deck will be within the V Zone. Mr. McLean discussed the existing vs. the proposed impervious surface and then described the proposed alternative septic system, which will be located on a parcel across the street purchased by the Baruch and Gonet families. Ms. Joseph then presented the Landscape/Planting Plan and discussed the relocation of the existing coastal stairs. Mr. McLean elaborated.

Board Comment – Mr. Ligor opened a brief discussion regarding the design of the proposed coastal stairs.

Mr. Dewar of Bracken Engineering offered clarification regarding the parcel of land where the proposed septic system will be located. He explained that the land was placed into trust by the Baruch's parents and will be used specifically for the septic system. They are working with the Mashnee Island Association to obtain permission for the proposed road work and an easement will be recorded stating the land will be used solely for the septic system. Mr. Dewar then described the design of the proposed septic system.

Mr. Haines noted several issues he identified on the plan, i.e., Resource Areas were mislabeled, Captains Row was classified as a public road not a private road and the existing stairs that are being removed, replaced and relocated need to be clarified. Mr.

Haines stated there's an existing concrete slab located on the beach that he'd like to have removed. Mr. Dewar thinks the slab is an old foundation and feels there will be too much disturbance to remove it. Mr. McLean stated there isn't access.

Mr. Haines informed the members that the original plan designated the coastal dune as coastal beach and coastal grass; however, he thinks wave/wind driven sand has created a vegetated coastal dune between the beach and a Coastal Bank. The Commission will have to consider whether the project constitutes structural material located within the coastal dune.

Chm. Gray recused himself from discussion and vote because of a conflict with Bracken Engineering. Mr. Palumbo chaired the hearing.

Agent Comment – Mr. Haines mentioned none of the Landscaping Plans show a pathway to the coastal stairs. However, the landscaping drawing that was submitted does show a pathway going through the coastal dune, which violates the Wetlands Protection Act. He will leave it up to the Commission to decide whether they will require an elevated path over the dune. A discussion ensued. Mr. Haines said he spoke with the town engineer who verified the roadway is private so an easement is not required for the septic installation. However, permission from the Mashnee Island Association is required. He suggested requiring this as a Condition of the Order.

Mr. Palumbo asked why permission is needed from the association if the road is private. Mr. Haines explained there is language in the Mashnee Island Association regulations stating the association partly owns the roadway; thus, requiring their permission prior to any work being performed within the roadway.

Additional Agent Comment – Mr. Haines feels this is a clear improvement over what's existing and overall, it's a good project.

Board Comment – Mr. Ligor opened a brief discussion regarding the depth of the septic system install.

Ms. Weston discussed the removal of the invasive species.

Mr. Holmes recommended using two pumps.

Ms. Leduc asked whether the existing Cedar tree at the top of the site of the proposed access stairs will be removed. Ms. Joseph stated it will be cut at grade. A brief discussion transpired regarding other vegetation proposed for removal and the mitigation being proposed.

Ms. Leduc opened a brief discussion regarding the reduction in impervious surface.

Ms. Leduc asked whether any work is being proposed on the rocks. Ms. Joseph stated no.

Mr. Ligor expressed concern that the removal of the Cedar will adversely impact wildlife. Mr. McLean stated they are willing to revisit it with the owner.

Ms. Leduc asked that the proposed path be delineated to prevent it from widening over time. Mr. Haines suggested conditioning the Order requiring the path remains 48" in width.

Mr. Szwed asked whether there's a maintenance requirement on the proposed septic system. Mr. Dewar discussed the maintenance that is required for this system.

Public Comment – None.

Mr. Palumbo entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 5-0-0.

Agent - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 22, 23, 26, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 3, 4, 5, 6, 7, 9, and the following Additional Special Conditions; ASC (1) the risers on the coastal access stairs must remain open to allow light penetration below the stairs, ASC (2) approval by the Mashnee Association for the work within the road layout is required prior to construction, ASC (3) herbicide must be applied directly to the cut stem of the invasive plant by a licensed applicator, no foliar spraying is allowed, ASC (4) the walking path through the coastal dune will not exceed 48" in width, ASC (5) no excavation is allowed within the coastal dune.

Mr. Haines asked what the total width of the proposed mitigation at the top of the bank will be. Ms. Joseph stated it varies. The widest is approximately ten feet and the average width is approximately five feet. He stated Special Condition 3 will allow eight to twelve feet in mitigation at the top of bank.

Mr. Palumbo entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Ms. Leduc seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 5-0-0.

Chm. Gray returned to chair the meeting.

4) Applicant: Donald M. Duberger, Tr.

File Number: SE7-2093
Representative: J.E. Landers-Cauley
760 Shore Road, Pocasset

To expand and convert a sunroom to year-round, construct a new deck, upgrade septic system to a three-bedroom system and removal of trees within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Planting Plan and DEP Wetlands Change Mapping.

Jack Landers-Cauley described the layout of the property, the Resource Areas and the proposed project. He mentioned that the agent administratively approved tree clearing at the back of the property for safety reasons.

Agent Comment – Mr. Haines discussed the tree removal he administratively approved, which did not include the four large trees located within the fifty-foot buffer. The representative is proposing mitigation for the house and the trees; however, Mr. Haines would like the proposed mitigation area shifted. In terms of the secondary Coastal Bank, at one time it functioned as a Coastal Bank, but the lot was excavated when the house was constructed so he doesn't think it currently has any functions or values. He has no issues with the addition of the deck or sunroom and thinks the deck may be exempt because it is outside the fifty-foot buffer, within an existing landscaped area. The septic upgrade is a clear improvement.

Board Comment – Ms. Leduc referred to an area of the property between the edge of the lawn and the wetland and asked the agent what's currently existing in that area. Mr. Haines said the area was formerly landscaped but is now a naturalized area of mainly invasive species.

A brief discussion transpired regarding the agent's request to shift the mitigation area.

Ms. Leduc asked why the four trees are being cut. Don Duberger stated the trees are unhealthy because they are inundated with bittersweet. After a brief discussion, Ms. Leduc suggested the property owner remove the bittersweet from the two trees closest to the wetland to see if they will recover. Mr. Ligor agreed.

Chm. Gray discussed conditioning the Order to allow the agent to finalize the landscape plan.

Public Comment – several abutters expressed their support of the project.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Palumbo seconded to close the public hearing.** The motion carried. 6-0-0.

Agent - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 14, 15, 16, 18, 19, 21, 25, 26, 27, 28, 29, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 numbers; 2, 5, 6, 7, 9, and the following Additional Special Conditions; ASC (1) other than the two trees identified on the plan of record and permitted to be removed under this Order, no clear cutting of extending trees, brush surface vegetation is allowed outside of the approved limit of work shown on the approved plan of record. Any additional pruning of vegetation must be identified on the plan of record and requires additional coordination or filing with the Conservation Commission, ASC (2) a minimum distance of twenty-five feet of natural vegetation buffer zone must be maintained between the bordering vegetative wetland and any altered landscaped area. The area shall be protected as a naturalized area in perpetuity, ASC (3) the area of planted vegetation in the mitigation area shown on the plan of record, shall be protected as a naturalized area in perpetuity, ASC (4) a Landscape Plan based upon the recommendation of the Conservation Commission must be submitted to the Conservation agent for approval prior to the Order becoming valid.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Ms. Leduc moved, Mr. Ligor seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 6-0-0.

Amended Order of Conditions:

1) Applicant: Katherine Burke
File Number: SE7-2073
Representative: Falmouth Engineering
219 Scraggy Neck Road, Cataumet

To include revised regraded fill area, sloped face retaining wall, patio, pergola and a security fence around the pool within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Revised Site Plan of Record and Site Photographs.

Paul Miskovsky of Miskovsky Landscaping discussed the revisions being proposed, which includes the installation of a stairway for access to the existing boathouse.

Mr. Haines expressed concern that the Commission hasn't received a revised plan and wasn't sure if they'd be able to approve the proposed stairs under this amendment. Chm Gray feels they could be approved as a landscape feature.

A brief discussion transpired regarding the stair installation and their proposed location. Mr. Haines stated it was his understanding that the request before them pertained to regrading. He asked for additional information on the stair installation. The representative elaborated.

Board Comment -- None.

Public Comment -- None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 6-0-0.

Chm. Gray entertained a motion to approve the revised plan submitted that evening. **Mr. Palumbo moved, Ms. Leduc seconded to approve the revised plan.** The motion carried 6-0-0.

Mr. Haines stated the Order will be virtually the same as the original Order except the condition that any pool must be brought before the Commission will be removed. He suggested adding an Additional Special Condition that states; each stair must be placed individually at grade and stabilized with plantings and mulch prior to moving to the next rock step.

Chm. Gray entertained a motion to accept the Amended Order of Conditions. **Mr. Holmes moved, Mr. Ligor seconded to accept the Amended Order of Conditions.** The motion carried 6-0-0.

Chm. Gray recused himself from discussion and vote. Mr. Palumbo chaired the next hearing.

2) Applicant: John C. Dawley
File Number: SE7-2041
Representative: Bracken Engineering
276 Scraggy Neck Road, Cataumet

To include revised house footprint, revised deck and stoops, installation of new landscape walls, revised grading, installation of timber landscape stairs, patio and walkways and revised layout of supplemental planting areas within an AE Flood Zone, V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Revised Site Plan of Record.

Zachary Basinski discussed the revisions being proposed.

Agent Comment – Mr. Haines stated the representative originally requested the revisions be approved under an administrative approval. However, because it's a jurisdictional Resource Area under 92-1, he felt the proposed revisions required Commission approval; even though he doesn't feel the revisions will impact the functions and values of the Resource Areas beyond what was originally approved.

Board Comment – Ms. Leduc opened a brief discussion regarding the revised house footprint.

Public Comment – None.

Mr. Palumbo entertained a motion to close the public hearing. **Ms. Weston moved, Mr. Holmes seconded to close the public hearing.** The motion carried. 5-0-0.

Mr. Haines stated the Amended Order of Conditions is exactly the same as the Original Order of Conditions except for the revised plan date.

Mr. Palumbo entertained a motion to approve the Amended Order of Conditions. **Mr. Szwed moved, Ms. Leduc seconded.** The motion carried 5-0-0.

Chm. Gray returned to chair the meeting.

▶ Violation of Order SE7-1976 at 50 Lewis Point: Unpermitted land alteration within 100 foot buffer to a Coastal Bank – Mr. Haines spoke to the representative who is under contract and he's satisfied with the way things are moving forward.

▶ Paragliding at Sagamore Highlands –

Materials Reviewed – Letters from abutters and a presentation handout from the New England Hang gliding Paragliding Club.

John Gallagher, an officer of the New England Hangliding Paragliding Club, provided an overview of the club, a history of the flying that occurs at Sagamore Highlands and he discussed how the club has addressed incidents that have occurred and complaints that have been raised.

Board Comment – Ms. Leduc discussed the beach serving as a default landing spot when top landing isn't an option.

Mr. Szwed asked if all of the flyers are required to be members of the club. Mr. Gallagher stated yes.

Agent Comment – Mr. Haines explained in three years, he's only received two complaints. He reviewed the area at the top of the bank being utilized by the club. It was free of litter and had minimal damage. He believes this activity meets the deed restrictions of the property and doesn't feel any accidental impacts on the bank violates the Wetlands Protection Act. He also spoke with Police and Fire and neither department feels the activity should be stopped. He feels the presentation given by the club addresses all concerns previously raised by the Commission.

After a brief discussion, it was decided that the agent will continue to monitor the activity. Mr. Gallagher offered to report back to the agent on a yearly basis.

Public Comment – Dan Reddy who has served on the board of the Sagamore Highlands Association for twenty years has not heard a single complaint about the club. He supports prohibiting ATV riding in that area and expressed concern over teens using the area for parties.

Mike Powers was in agreement with Mr. Reddy. He also discussed the role that the club plays with preserving the integrity of the bank.

Additional Board Comment - Mr. Szwed opened a brief discussion regarding the average height and duration of a flight.

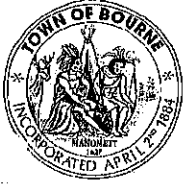
- ▶ Acceptance of Previous Meeting Minutes – None.
- ▶ Report of the Conservation Agent – Mr. Haines discussed the site visit planned for the Fisher Lane filings at 8:30 AM on Saturday, November 23, 2019. A public meeting has been advertised and the members will meet at the Sagamore boat ramp prior to the site visit.
- ▶ Vote to excuse absent members, if necessary – **Ms. Leduc moved, Mr. Szwed seconded to excuse the absent members.** The motion carried. 6-0-0.
- ▶ Public Comment Period on Non-Agenda Items – None.
- ▶ Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99 – None.

► Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16 – None.

II. Adjournment

Ms. Leduc moved, Mr. Palumbo seconded to adjourn. The motion carried. 6-0-0.
The meeting adjourned at 9:08 PM.

Minutes submitted by: Carol Mitchell



CONSERVATION COMMISSION AGENDA
Saturday, November 23, 2019 ~ 8:30 AM



MEETING AGENDA

DATE: Saturday, November 23, 2019
PLACE: 280 Sagamore Road (Sagamore Boat Ramp & Beach)
TIME: 8:30 AM

On-site inspection to review filings for coastal bank stabilization projects at 88 Sagamore Road; 4 Fisher; 6 Fisher; 8 Fisher; 10 Fisher; and 16 Fisher Lane. Public discussion will take place at the Sagamore boat ramp immediately after the site investigation.

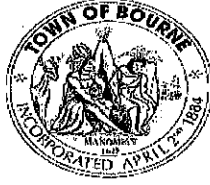
Directions to Sagamore boat ramp from Bourne Town Hall:

From 24 Perry Ave; Continue to US-6 E/Main St; Follow US-6 E to Meetinghouse Ln;
Continue on Meetinghouse Ln.; Take Old Plymouth Rd and Clark Rd to Sagamore Rd ramp.

RECEIVED

2019 NOV 20 AM 4:25

TOWN CLERK BOURNE



RECEIVED

2019 DEC -2 AM 11:45

TOWN CLERK BOURNE

CONSERVATION COMMISSION AGENDA
Thursday, December 5, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** Daniel J. Chauvin **File Number:** CC19-39
Representative Self
Project Address: 9 Fabyan Way, Buzzards Bay
Proposed Project: To install a denitrification septic system within a 100 feet of a wetland resource area

Notice of Intent

- 1) **Applicant:** Massachusetts Department of Transportation Highway Division
DEP File Number: SE7-2094
Representative TranSystems
Project Address: Belmont Circle, Buzzards Bay
Proposed Project: Proposed improvements to be completed as part of this project include adding a shared use path along the outside of the rotary with lighting and providing traffic control at three pedestrian crossings
- 2) **Applicant:** Mark A. Puccio **DEP File Number:** SE7-2086
Representative Bracken Engineering
Project Address: 88 Sagamore Road, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, and native vegetative plantings within a V Flood Zone and within a 100 ft. of a wetland resource area

(Continued from November 7, 2019)

- 3) **Applicant:** Champ A. Fisher Jr **DEP File Number:** SE7-2087
Representative Bracken Engineering
Project Address: 4 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within a 100 ft. of a wetland resource area
(Continued from November 7, 2019)
- 4) **Applicant:** Candace Fisher **DEP File Number:** SE7-2088
Representative Bracken Engineering
Project Address: 6 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, native vegetative plantings, and stair construction within a V Flood and within a 100 ft. of a wetland resource area
(Continued from November 7, 2019)
- 5) **Applicant:** Sarah Fisher **DEP File Number:** SE7-2089
Representative Bracken Engineering
Project Address: 8 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within a 100 ft. of a wetland resource
(Continued from November 7, 2019)
- 6) **Applicant:** Sarah Fisher **DEP File Number:** SE7-2090
Representative Bracken Engineering
Project Address: 10 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood and within a 100 ft. of a wetland resource area
(Continued from November 7, 2019)
- 7) **Applicant:** Robert Gendron **DEP File Number:** SE7-2091
Representative Bracken Engineering
Project Address: 16 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir rolls, native vegetative plantings, and sand nourishment as well as stair reconstruction within a V Flood Zone and within a 100 ft. of a wetland resource
(Continued from November 7, 2019)

Request to Amend Order of Conditions

- 1) **Applicant:** John and Elizabeth LoMedico **DEP File Number:** SE7- 2037
Representative Bracken Engineering
Project Address: 18 Winsor Road, Cataumet
Proposed Project: To raze and rebuild existing house with associated garage and driveway, pool, septic system, grading and landscaping; existing hardscape design revised within a V Flood Zone and within a 100 ft. of a wetland resource area

Request for Certificate of Compliance

- 1) **Applicant:** Jeffery Goldstein **DEP File Number:** SE7- 2013
Representative Falmouth Engineering, Inc.
Project Address: 8 Agawam Point Road
Proposed Project: To install a helical pile supported, elevated walkway within a V & AE flood zone and within 100 feet of a Wetland resource Area

- ▶ Violation at 11 Observatory Lane: Unpermitted construction of structures and land alteration within 100 foot buffer and ACEC.
- ▶ Violation of Order SE7-1976 at 50 Lewis Point: Unpermitted land alteration within 100 foot buffer to a coastal bank.
- ▶ Discussion of Bourne Wetland Protection Bylaw (Article 3.7 Wetland and Natural Resources Protection) and Bourne Wetlands Regulations.
- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

**Conservation Commission
Meeting Minutes**

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

December 5, 2019

RECEIVED
2020 MAR 10 AM 7:35
TOWN CLERK BOURNE

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on December 5, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Rob Palumbo, Tom Ligor, M. Peter Holmes and Associate Member Greg Berman.

Excused Members: Paul Szwed, Elise Leduc and Susan Weston.

Also Present: Sam Haines, Carol Mitchell, Michael Rieger, Dan Chauvin, Mark Greiger, Jacob Barton and Doreen Barton.

Request for Determination of Applicability:

- 1) Applicant: Daniel J. Chauvin
File Number: CC19-39
Representative: Self

9 Fabyan Way, Buzzards Bay

To install a denitrification septic system within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Dan Chauvin stated this is a voluntarily upgrade of his septic system. He then described the proposed project.

Agent Comment – Mr. Haines stated the house predates the Wetlands Protection Act. He did not find any previous Notice of Intent filings or Order of Conditions for the property. The system is on the landward side of the house; as far away from the Resource Area as possible. He has no issues with the project as proposed. He noted that there is a set of coastal stairs located on the property which isn't shown on the plan. He asked the applicant for a revised, after-the-fact plan showing the stairs.

Board Comment – Chm. Gray asked whether the agent would like a survey performed or drawn on the plan. Mr. Haines would like it surveyed since a survey stamped plan is what's given to the Board of Health. The applicant agreed.

Mr. Berman asked if the stairway was previously approved. Mr. Haines said he looked back at the aerials and there appears to be stairs dating back to the 90s. Mr. Berman asked whether the stairs are adversely impacting the Resource Area. Mr. Haines said he doesn't feel the stairs have any impact on the stabilization of the slope.

Mr. Ligor stated he is pleased that the system is being upgraded.

Public Comment – None.

Mr. Holmes moved, Mr. Ligor seconded a Negative Two Determination. The motion carried. 4-0-0.

Mr. Chauvin complimented Mr. Haines.

Notice of Intent:

1) Applicant: Massachusetts Department of Transportation Highway Division
File Number: SE7-2094
Representative: TranSystems
Belmont Circle, Buzzards Bay

Proposed improvements to be completed as part of this project include; adding a shared use path along the outside of the rotary with lighting and providing traffic control at three pedestrian crossings.

Materials Reviewed - Site Photographs, Site Plan of Record, Stormwater Management Report and DEP Wetlands Change Mapping.

Mike Rieger described the proposed project.

Agent Comment – Mr. Haines explained the intersection is extremely dangerous and feels this project will add public value. The state has taken the position that the bylaw does not apply to this filing and Mr. Haines agrees. The isolated wetlands are a result of storm drainage off of the state roads. Neither wetland has been improved since 1996; therefore, they are jurisdictional wetlands under the state act. However, under the state act, these jurisdictional wetlands do not have a buffer; they're isolated vegetated wetlands that are subject to flooding and don't have a setback. This makes any work that is performed within the buffer non jurisdictional. A Stormwater Management Report was signed and stamped by a licensed engineer. Mr. Haines feels the project meets the standards of the Wetlands Protection Act.

Board Comment – None.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Mr. Ligor seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions; All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 number; 1, 3, 7, 9, 12, 14, 15, 17, 18, 19, 21, 27, 28 and 29.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Mr. Ligor moved, Mr. Holmes seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

Chm. Gray stated the next five hearings will be opened and Mr. Haines will provide an update on them. However, the representative has asked that the hearings be continued to December 19th.

2) Applicant: Mark A. Puccio
File Number: SE7-2086
Representative: Bracken Engineering
88 Sagamore Rd., Sagamore Beach

To install coastal stabilization measures including a stone revetment, jute netting, coir rolls and native vegetative plantings within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, The Natural Heritage and Endangered Species Program letter, Mass DEP comments, Letter from Abutter at 59 Algonquin, FEMA Flood Map and DEP Wetlands Change Mapping.

(Continued from November 7, 2019)

3) Applicant: Champ A. Fisher Jr.
File Number: SE7-2087
Representative: Bracken Engineering
4 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetable plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, The Natural Heritage and Endangered Species Program letter, Mass DEP comments, Coir Envelope Narrative, Letter from Abutter at 59 Algonquin, FEMA Flood Map and DEP Wetlands Change Mapping.

(Continued from November 7, 2019)

4) Applicant: Candace Fisher
File Number: SE7-
Representative: Bracken Engineering
6 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, native vegetative plantings and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, The Natural Heritage and Endangered Species Program letter, Mass DEP comments, Letter from Abutter at 59 Algonquin, FEMA Flood Map and DEP Wetlands Change Mapping.

(Continued from November 7, 2019)

5) Applicant: Sarah Fisher
File Number: SE7-2089
Representative: Bracken Engineering

8 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, The Natural Heritage and Endangered Species Program letter, Mass DEP comments, Coir Envelope Narrative, Letter from Abutter at 59 Algonquin, FEMA Flood Map and DEP Wetlands Change Mapping.

(Continued from November 7, 2019)

6) Applicant: Sarah Fisher
File Number: SE7-2090
Representative: Bracken Engineering
10 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, The Natural Heritage and Endangered Species Program letter, Mass DEP comments, Coir Envelope Narrative, Letter from Abutter at 59 Algonquin, FEMA Flood Map and DEP Wetlands Change Mapping.

7) Applicant: Robert Gendron
File Number: SE7-2091
Representative: Bracken Engineering
16 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir rolls, native vegetative plantings and sand nourishment as well as stair reconstruction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record, The Natural Heritage and Endangered Species Program letter, Mass DEP comments, Letter from Abutter at 59 Algonquin, FEMA Flood Map and DEP Wetlands Change Mapping.

(Continued from November 7, 2019)

Agent Comment – Mr. Haines stated he’s been given written permission by the representative to open the hearings tonight and also requested a continuance to December 19th because they’re addressing the comments that were received from The Natural

Heritage and Endangered Species Program and Mass DEP. He provided the members with the letter received from The Natural Heritage and Endangered Species Program, the Mass DEP comments and comments he received from an abutter who expressed concern over the private accessway to the south of 88 Sagamore. Mr. Haines mentioned that both Natural Heritage and Mass DEP questioned whether there was any stabilization on projects that have no homes and if so, why are they trying to protect it. Mr. Haines would also like the members to consider whether a peer review is appropriate.

After a brief discussion regarding the questions raised by The Natural Heritage and Endangered Species Program, Mass DEP's comments, the potential need for a peer review, access options and the abutter's concerns that were raised in a letter, it was decided to continue all hearings to December 19, 2019.

Public Comment – None.

Chm. Gray entertained a motion to continue all six hearings to December 19, 2019. **Mr. Palumbo moved, Mr. Holmes seconded to continue all six hearings to December 19, 2019.** The motion carried. 4-0-0.

Request to Amend Order of Conditions:

1) Applicant: John and Elizabeth LoMedico
File Number: SE7-2037
Representative: Bracken Engineering
18 Winsor Road, Cataumet

To raze and rebuild existing house with associated garage and driveway, pool, septic system, grading and landscaping; existing hardscape design revised within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed – Revised Site Plan of Record.

Agent Comment – Mr. Haines explained the nature of the request.

Board Comment – Mr. Berman opened a brief discussion regarding the nitrogen calculations.

Public Comment – None.

RECEIVED

2019 DEC 17 AM 8:43

TOWN CLERK BOURNE



CONSERVATION COMMISSION AGENDA
Thursday, December 19, 2019 ~ 7 pm ~
Bourne Town Hall – Lower Conference Room

7:00 Request for Determination

- 1) **Applicant:** William J. Timson and Anne Cadigan **File Number:** CC19-40
Representative Wayne Tavares
Project Address: 102 Tahanto Road, Pocasset
Proposed Project: To perform general landscape improvements within an AE flood zone, within 100 feet of a wetland resource area, and within Riverfront Area

Notice of Intent

- 1) **Applicant:** Jane Couper **DEP File Number:** SE7-
Representative Merrill Engineers & Land Surveyors
Project Address: 9 Wallace Point Road, Buzzards Bay
Proposed Project: To install an upgraded septic system within an AE Flood Zone and within a 100 ft. of a wetland resource area
- 2) **Applicant:** Mark A. Puccio **DEP File Number:** SE7-2086
Representative Bracken Engineering
Project Address: 88 Sagamore Road, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, and native vegetative plantings within a V Flood Zone and within a 100 ft. of a wetland resource area

(Continued from 11/7/2019- 12/5/2019)

- 7) **Applicant:** Robert Gendron **DEP File Number:** SE7-2091
Representative Bracken Engineering
Project Address: 16 Fisher Lane, Sagamore Beach
Proposed Project: To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir rolls, native vegetative plantings, and sand nourishment as well as stair reconstruction within a V Flood Zone and within a 100 ft. of a wetland resource
(Continued from 11/7/2019- 12/5/2019)

Request to Amend Order of Conditions

- 7) **Applicant:** Alexander & Marina Zelfond **DEP File Number:** SE7- 2005
Representative Falmouth Engineering, Inc.
Project Address: 25 Pasture Rd, Pocasset
Proposed Project: Installation of a pool and patio area within a V flood zone and within 100 feet of a Wetland resource Area

Request for Certificate of Compliance

- 1) **Applicant:** Bishop-Megnansett Family Limited Partnership
DEP File Number: SE7- 1940
Representative Holmes & McGrath Inc.
Project Address: 80 Megnansett Road, Cataumet
Proposed Project: To raze and rebuild a single family dwelling, decks, patios, stone wall, driveway re-configuration, detached garage, septic system, utility connections and all associated clearing, excavation, grading and landscaping within an AE Flood zone and within a 100 feet of a wetland resource area.
- 2) **Applicant:** Kevork Tinkjian
DEP File Number: SE7- 2005
Representative Bracken Engineering, Inc.
Project Address: 34 Benedict Rd, Gray Gables
Proposed Project: to construct a salt marsh boardwalk and coastal access stairs, within AE & V flood zones and within a wetland resource area

► Discussion of Bourne Wetland Protection Bylaw (Article 3.7 Wetland and Natural Resources Protection) and Bourne Wetlands Regulations.

► Discussion and possible vote on 2020 hearing dates.

- ▶ Vote – Excuse Absent Members, if necessary
- ▶ Acceptance of Previous Meeting Minutes:
- ▶ Report of the Conservation Agent:
- ▶ Public Comment Period on Non-Agenda Items
- ▶ Questions and Answers re: MGL Chapter 131 §40 and 310 CMR 10.00-10.99
- ▶ Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16

**Conservation Commission
Meeting Minutes**

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

December 19, 2019

RECEIVED
2020 APR 21 AM 10:04
TOWN CLERK BOURNE

I. Call to order

Chm. Gray called to order the meeting of the Conservation Commission at 7:00 PM on December 19, 2019. Chm. Gray explained all reviews, unless otherwise stated, are joint reviews. Applications will be processed pursuant to the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and pursuant to Article 3.7 of the Town of Bourne Wetlands Protection Bylaw.

Note: Chm. Gray addressed the audience and explained the 5, 5, 5 rules; which allows the applicant / representative five minutes to make a presentation to the Commission members, Commission members will take five minutes to seek clarification if needed, the Conservation agent will also give a report and five minutes of public input is allowed. He asked for all to silence their cell phones.

Note: The meeting was being recorded and anyone in the audience who was recording or videotaping was asked to acknowledge such to the Commission. The proceeding listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the limited extent permitted by the Open Meeting Law. All items within the meeting agenda are subject to deliberation and vote(s) by the Conservation Commission.

Members Present: Bob Gray, Tom Ligor, Susan Weston, Paul Szwed and M. Peter Holmes.

Excused Members: Rob Palumbo, Elise Leduc and Associate Member Greg Berman.

Also Present: Sam Haines, Carol Mitchell, Paul Gately, Wayne Tavares, Thomas Pozerski, Michael Borselli and Brad Broderick.

Request for Determination of Applicability:

- 1) Applicant: William J. Timson and Anne Cadigan
File Number: CC19-40
Representative: Wayne Tavares

102 Tahanto Road, Pocasset

To perform general landscape improvements within an AE Flood Zone, within 100 feet of a Wetland Resource Area and within a Riverfront Area.

Materials Reviewed - Site Photographs, Site Plan of Record, Mitigation Planting Plan and DEP Wetlands Change Mapping.

Wayne Tavares addressed the members. He described the location of the property and the proposed project.

Agent Comment – Mr. Haines explained this is a difficult project because of its proximity to the riverfront. He referred to 310 CMR 10.05 (8)(6)(b) explaining how portions of this project are exempt under the Riverfront Act. He stated the Commission will have to determine whether the proposed mitigation and drainage meets the 1:1 ratio requirements for redevelopment.

Board Comment -- None.

Public Comment – None.

Chm. Gray entertained a motion. **Mr. Holmes moved, Ms. Weston seconded a Negative Two Determination.** The motion carried. 4-0-0.

Notice of Intent:

1) Applicant: Jane Couper

File Number: SE7-2095

Representative: Merrill Engineers and Land Surveyors

9 Wallace Point Road, Buzzards Bay

To install an upgraded septic system within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Site Plan of Record and DEP Wetlands Change Mapping.

Tom Pozerski of Merrill Engineers and Land Surveyors discussed the Resource Areas on the property that were delineated by ECR Environmental. He then described the proposed project.

Agent Comment – Mr. Haines was impressed with the thoroughness of the filing and the proposed innovative denitrification system. He has no issues with the project as proposed.

Board Comment – None.

Public Comment – None.

Chm. Gray entertained a motion to close the public hearing. **Mr. Holmes moved, Ms. Weston seconded to close the public hearing.** The motion carried. 4-0-0.

Mr. Haines - Draft Order of Conditions: All General Conditions, Special Conditions pursuant to M.G.L. Chapter 131, Section 40 numbers; 1, 2, 3, 5, 7, 9, 10, 11, 15, 18, 19, 21, 27, Special Conditions pursuant to the Bourne Wetlands Protection Bylaw Article 3.7 number; 2. There are no Additional Special Conditions.

Chm. Gray entertained a motion to move the Draft Order of Conditions to the Final Order of Conditions. **Ms. Weston moved, Mr. Ligor seconded to move the Draft Order of Conditions to the Final Order of Conditions.** The motion carried. 4-0-0.

Chm. Gray announced the next six hearings; numbers 2-7 have been continued.

- 2) Applicant: Mark A. Puccio
File Number: SE7-2086
Representative: Bracken Engineering
88 Sagamore Rd., Sagamore Beach

To install coastal stabilization measures including a stone revetment, jute netting, coir rolls and native vegetative plantings within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to January 16, 2020)

- 3) Applicant: Champ A. Fisher Jr.
File Number: SE7-2087
Representative: Bracken Engineering
4 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to January 16, 2020)

- 4) Applicant: Candace Fisher
File Number: SE7-2088
Representative: Bracken Engineering

6 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a stone revetment, jute netting, coir rolls, native vegetative plantings and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to January 16, 2020)

5) Applicant: Sarah Fisher
File Number: SE7-2089
Representative: Bracken Engineering
8 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to January 16, 2020)

6) Applicant: Sarah Fisher
File Number: SE7-2090
Representative: Bracken Engineering
10 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir logs, native vegetative plantings, jute netting and stair construction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to January 16, 2020)

7) Applicant: Robert Gendron
File Number: SE7-2091
Representative: Bracken Engineering
16 Fisher Lane, Sagamore Beach

To install coastal stabilization measures including a coir envelope system, sand drift fencing, coir rolls, native vegetative plantings and sand nourishment as well as stair reconstruction within a V Flood Zone and within 100 feet of a Wetland Resource Area.

(Continued to January 16, 2020)

Request to Amend Order of Conditions:

1) Applicant: Alexander & Marina Zelfond
File Number: SE7-2005
Representative: Falmouth Engineering, Inc.
25 Pasture Rd., Pocasset

Installation of a pool and patio area within a V Flood Zone and within 100 feet of a Wetland Resource Area.

Materials Reviewed - Site Photographs, Revised Site Plan of Record and DEP Wetlands Change Mapping.

Mike Borselli of Falmouth Engineering described the proposed revisions.

Mr. Haines asked whether there are drywells specifically designed for the proposed pool. Mr. Borselli said no, the drywells are for the house. The proposed pool will be pumped when necessary into a dewatering truck.

Agent Comment - Mr. Haines explained because this property is located within the Velocity Zone, the proposed structures will need to be elevated either above the base flood elevation or at grade. He recommended conditioning the amended Order to require the proposed pool and patio be constructed at existing grade. He feels because the proposed pool will be located outside of the fifty-foot buffer, this is a permissible amendment under the bylaw and the Act and doesn't require a Notice of Intent.

Board Comment – Mr. Ligor asked approximately how many trees have already been removed from the site. Mr. Borselli stated he doesn't have that number; however, the trees that have been removed were approved to be removed. Mr. Haines elaborated stating the Commission previously approved the removal of the overstory with the addition of a fifty-foot naturalized understory. A brief discussion transpired regarding the location of the fifty-foot naturalized buffer and the number of plantings being proposed in that area.

Public Comment – None.

Chm. Gray entertained a motion to grant the request to amend the Order of Conditions. **Ms. Weston moved, Mr. Holmes seconded to grant the request to amend the Order of Conditions with the condition previously mentioned by the agent.** The motion carried. 4-0-0.

Request for Certificate of Compliance:

1) Applicant: Bishop-Megnansett Family Limited Partnership
File Number: SE7-1940
Representative: Holmes & McGrath, Inc.
80 Megnansett Road, Cataumet

To raze and rebuild a single-family dwelling, decks, patios, stone wall, driveway re-configuration, detached garage, septic system, utility connections and all associated clearing, excavation, grading and landscaping within an AE Flood Zone and within 100 feet of a Wetland Resource Area.

Agent Comment – A site visit was performed on December 18, 2019. Mr. Haines recommended issuing the Certificate of Compliance.

Board Comment – None.

Ms. Weston moved, Mr. Szwed seconded to grant the Certificate of Compliance. The motion carried 4-0-0.

2) Applicant: Kevork Tinkjian
File Number: SE7-2005
Representative: Bracken Engineering, Inc.
34 Benedict Road, Gray Gables

To construct a saltmarsh boardwalk and coastal access stairs within an AE & V Flood Zones and within a Wetland Resource Area.

Agent Comment – Mr. Haines suggested a partial certificate be issued because it's needed for a payment to be issued. He said the boardwalk has been constructed; however, damage to the saltmarsh and other landscaping work needs to be completed before he can recommend a full Certificate of Compliance be granted.

Ms. Weston moved, Mr. Holmes seconded to grant a partial Certificate of Compliance. After a brief discussion regarding the need for additional agent review when the construction of ramps has been allowed under boardwalk construction filings, the motion carried 4-0-0.

► Discussion of Bourne Wetland Protection Bylaw (Article 3.7 Wetland and Natural Resources Protection) and Bourne Wetlands Regulations – Mr. Haines discussed proposed revisions to sections of the bylaw which will mimic state requirements. The matter was discussed and the members decided that the agent should advertise this topic for public input at a future meeting.

A brief discussion transpired regarding changes the agent and the chairman are proposing to the existing dock and pier regulations. Mr. Haines said he will need a decision made regarding the proposed changes by February so he can draft an Article for the Town Meeting warrant. It was the consensus of the members to move forward with advertising this topic for public input at a future meeting.

▶ **Discussion and possible vote on 2020 hearing dates** – Mr. Haines submitted a draft schedule of 2020 meeting dates. After a brief discussion, Chm. Gray entertained a motion to approve the 2020 hearing schedule. **Ms. Weston moved, Mr. Holmes seconded to approve the 2020 hearing schedule.** The motion carried 4-0-0.

▶ **Vote to excuse absent members, if necessary** – **Mr. Ligor moved, Ms. Weston seconded to excuse the absent members.** The motion carried. 4-0-0.

▶ **Acceptance of Previous Meeting Minutes** – Chm. Gray entertained a motion to approve the minutes of the September 5, 2019 meeting as written. **Mr. Holmes moved, Ms. Weston seconded to approve the minutes of the September 5, 2019 meeting.** The motion carried 4-0-0.

Chm. Gray entertained a motion to approve the minutes of the October 3, 2019 meeting as written. **Mr. Holmes moved, Ms. Weston seconded to approve the minutes of the October 3, 2019 meeting.** The motion carried 4-0-0.

Chm. Gray entertained a motion to approve the minutes of the October 17, 2019 meeting as written. **Mr. Holmes moved, Ms. Weston seconded to approve the minutes of the October 17, 2019 meeting.** The motion carried 3-0-1. Mr. Szwed abstained.

▶ **Report of the Conservation Agent** – Mr. Haines acknowledged Ms. Mitchell for her work with drafting the meeting minutes.

▶ **Public Comment Period on Non-Agenda Items** – None.

▶ **Questions and Answers re: M.G.L. Chapter 131 §40 and 310 CMR 10.00-10.99** – None.

▶ **Questions and Answers re: Town of Bourne Wetland Protection Bylaw (Article 3.7) and BWR 1.00-1.16** – None.

II. Adjournment

Ms. Weston moved, Mr. Ligor seconded to adjourn. The motion carried. 4-0-0. The meeting adjourned at 7:41 PM.

TOWN OF BOURNE

FILED

2019 JAN 10 AM 9:20

Board, Committee, or Commission: **Bourne Council on Aging**

TOWN CLERK BOURNE

Agenda for Regular Meetings

**DATE: January 17, 2019 TIME: 11:00 am PLACE: COA Conference
Room at the Community Center**

AGENDA ITEMS:

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meeting**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director's Report – Felicita Monteiro**
- 4. Do we need to continue a liaison with the Friends meetings?**
- 5. Do we need to identify the various entities using the Community Building?**
- 6. Continuing discussion from November meeting. Reports of members having attended the training sessions in Barnstable and Falmouth**
- 7. Can we identify observations, trends, and needs within the COA that can be addressed by committees made up of board members?**
- 8. What do we need to do as a board to be creative and vibrant?**

Kenneth Blanchard, Chair

Bourne Council on Aging

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF January 17, 2019**

Due to lack of a quorum, this meeting was cancelled at 11:11am.

**RECEIVED
2021 FEB 18 PM 2:02
TOWN CLERK BOURNE**

**Linda J. Rush
Administrative Assistant**

RECEIVED

2019 FEB 14 PM 3:44 **TOWN OF BOURNE**

TOWN CLERK BOURNE Bourne Council on Aging

Agenda for Regular Meetings

DATE: February 21, 2019 TIME: 11:00 am PLACE: COA Conference Room

AGENDA ITEMS:

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meeting**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director's Report – Felicita Monteiro**
- 4. Do we need to continue a liaison with the Friends meetings?**
- 5. Do we need to identify the various entities using the Community Building?**
- 6. Can we identify observations, trends, needs within the COA that can be addressed by committees made up of board members?**
- 7. Continuing discussion from November meeting. Reports of members having attended the training sessions in Barnstable and Falmouth**
- 8. What do we need to do as a board to be creative and vibrant?**

Kenneth Blanchard, Chair

Bourne Council on Aging

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF February 21, 2019**

Due to lack of a quorum, this meeting was cancelled at 11:10am.

RECEIVED

2021 FEB 18 PM 2:05

TOWN CLERK BOURNE

**Linda J. Rush
Administrative Assistant**

TOWN OF BOURNE

Bourne Council on Aging

Agenda for Regular Meetings

DATE: March 21, 2019 TIME: 11:00 am PLACE: COA Conference Room at the Community Center

AGENDA ITEMS:

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meeting**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director’s Report – Felicita Monteiro**
- 4. Do we need to continue a liaison with the Friends meetings?**
- 5. Discuss the need, if any, to amend the COA by-laws as to what constitutes a quorum for meetings. If so create the wording for the amendment. This by-law change would be marked up for a vote at the April meeting then sent to the Select Board and Town Counsel for approval**
- 6. Discussion as to the creation of a membership committee. Should be voted into the minutes, Geri, Jim, and Ken have already volunteered for this committee.**
- 7. Continuing discussion from November meeting. Reports of members having attended the training sessions in Barnstable and Falmouth**
- 8. What do we need to do as a board to be creative and vibrant?**

Kenneth Blanchard, Chair

Bourne Council on Aging

RECEIVED
2019 MAR -7 11:00 AM
TOWN OF BOURNE

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF March 21, 2019**

Due to lack of a quorum, this meeting was cancelled.

**RECEIVED
2021 FEB 18 PM 2:03
TOWN CLERK BOURNE**

**Linda J. Rush
Administrative Assistant**

RECEIVED

TOWN OF BOURNE

2019 APR 12 AM 8:52

Bourne Council on Aging

TOWN CLERK BOURNE

Agenda for Regular Meetings

**DATE: April 18, 2019 TIME: 11:00 am PLACE: COA Conference Room
at the Community Center**

AGENDA ITEM

- 1. Appointment of temporary secretary for April, May, and June**
- 2. Public Comment**
- 3. Review and acceptance of Minutes of previous meetings**
- 4. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director's Report – Felicita Monteiro**
- 4. Do we need to continue a liaison with the Friends meetings?**
- 5. Discuss the need, if any, to amend the COA by-laws as to what constitutes a quorum for meetings. If so create the wording for the amendment. This by-law change would be marked up for a vote at the April meeting then sent to the Select Board and Town Counsel for approval**
- 6. Discussion as to the creation of a membership committee. Should be voted into the minutes, Gerri (?) and Ken have already volunteered for this committee.**
- 7. What do we need to do as a board to be creative and vibrant?**

Kenneth Blanchard, Chair

Bourne Council on Aging

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF April 18, 2019.**

MEMBERS PRESENT: Ken Blanchard, Sandy Barnard, Mary Fuller, Edith Hurd, Marilyn Jackson, Gerri Parham, Donna Pascarella

EXCUSED MEMBERS: Lorraine Young

OTHER PRESENT: Felice Monteiro, Lois Carr, Deb Oliviere-Llanes, Tom Guerino

Meeting called to order at 11:00 a.m.

MINUTES: Upon a motion duly made and seconded the board unanimously voted to approve the minutes of November 15, 2018 as written into record.

OUTREACH: Lois Carr

- **CHAMP** – now a universal application to apply online for state funded housing.
- **Looking for volunteers for April 29th Intergenerational Memory Sharing.**
- **Knox Box:** issues coordinating with FD for location of available boxes.
- **Number of committee members has been expanded by the Board of Selectmen from 9 to 11.**

BRIDGING THE YEARS: Debora Oliviere-Llanes

- **Described the fundamentals of the Bridging the Years programs.**
- **Discussed the benefits and feedback of the Memory Café.**
- **Partnered with Happy Hope Factory to put together packages for sick children in hospitals.**
- **A nursing student did some community service chair exercises with clients and assisted with marketing tools.**
- **Re-certifications for CPR completed**
- **Three new trial client coming in.**

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2019 FEB 18 PM 2:08
TOWN CLERK BOURNE

DIRECTOR'S REPORT: Felice Monteiro

- December Holiday Café luncheon was a great comeback after being closed
- The COA Human Services Committee sponsored The Giving Tree and collected scarfs, hats, socks, etc, and made bags to share with Bourne public safety to share with those in need.
- Felice and Debi attended a Sexual Harassment training that was very informative and engaging.
- We distributed and collected surveys for the Barnstable County Department of Human Services on Healthy Aging.
- February numbers still fluctuating but are slowly coming back up. (While some members have "aged out," we are continuing to acquire younger seniors.)
- Planning to hold an "Open House" or "Re-Opening" in July to welcome people back, who may not know that we are up and running.
- Tom Guerino has acquired a piano from the Hoxie School and we may be able to acquire an instructor.
- French class starting in September

OTHER BUSINESS:

- Someone from our Board should attend the Friends of Bourne monthly meetings as a liaison.
- Discussion on meeting quorums: there is now a *range* of members, so the bylaws do not need to be amended.
- Discussed creating a membership "sub-committee" vs "Working Group."

Upon a motion duly made and seconded the Board unanimously voted to adjourn the meeting at 12:35 p.m.

Respectfully submitted,

Linda J. Rush
Administrative Assistant

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2019 MAY 10 PM 3:36

TOWN OF BOURNE

~~TOWN CLERK BOURNE~~

Bourne Council on Aging

Agenda for Regular Meetings

DATE: May 16, 2019 TIME: 11:00 am PLACE: COA Conference Room

AGENDA ITEM

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meetings**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director’s Report – Felicita Monteiro**
 - d. Membership Committee**
- 4. Appointment of Nominating Committee. Volunteers are encouraged.
Chair, Vice-chair, and Secretary are needed for next fiscal year.**
- 5. Review of available new programs such as ukulele, dance**

Kenneth Blanchard, Chair

Bourne Council on Aging

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF May 16, 2019**

MEMBERS PRESENT: Ken Blanchard, Lorraine Young, Sandy Barnard, Mary Fuller, Edith Hurd, Marilyn Jackson, Gerri Parham,

EXCUSED MEMBERS:

OTHER PRESENT: Felice Monteiro, Lois Carr, Deb Oliviere-Llanes

Meeting called to order at 11:02 a. m.

MINUTES: Upon a motion duly made and seconded the board unanimously voted to approve the minutes of April 18, 2019 as written into record.

It was suggested that the minutes be made available via email prior to each meeting, allowing proper time for review.

OUTREACH: Lois Carr

- Follow-up for Intergenerational Sharing will be held on May 23rd at Bourne Middle School.
- Marilyn inquired about the Task Force Board at the Dennis Police Station. Discussion followed.

BRIDGING THE YEARS: Debora Oliviere-Llanes

- Received positive feedback on Cyd's Catering.
- Ken's comments:

DIRECTOR'S REPORT: Felice Monteiro

- Reminder on the Formula Grant Training seminar on May 30th.
- COA numbers are increasing
- Discussed trips for the seniors and the *Friends* involvement.
- Edie will be attending the *Friends* board meetings for the next (3) months.
- Work on the grease traps in the Café is progressing well and we are still on schedule to reopen June 3rd.

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TOWN CLERK BOURNE

OTHER BUSINESS:

- **Ken led a review and discussion of programs and other options. Suggestions included Womens' Breakfast, chair yoga, a dance party, cribbage, self-defense, and a ukulele class.**
- **Discussion to look into Mass Maritime assisting with a national program.**
- **Marilyn, Gerri and Edie will be the nominating committee.**

Due to a malfunction of the recording device, comprehensive details were not available.

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:29p.m.

Respectfully submitted,

**Linda J. Rush
Administrative Assistant**

TOWN OF BOURNE

Bourne Council on Aging

Agenda for Regular Meetings

**DATE: June 20, 2019 TIME: 11:00 am PLACE: COA Conference Room
at the Community Center**

AGENDA ITEM

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meetings**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BFY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director’s Report – Felicita Monteiro**
 - d. Membership Committee**
- 4. Recommendations of nominating Committee and vote on new officers.**
- 5. Discussion of recent formula block grant seminar**
- 5. Review of available new programs such as ukulele, dance**

Kenneth Blanchard, Chair

Bourne Council on Aging

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2019 JUN 14 PM 2:16

TOWN OF BOURNE

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF June 20, 2019**

MEMBERS PRESENT: Ken Blanchard, Lorraine Young, Sandy Barnard, Mary Fuller, Edith Hurd, Marilyn Jackson, Gerri Parham. Two new members, Joe Donatelle and Linda Kelly introduced themselves, described their work history, and explained why they wanted to join the Board.

EXCUSED MEMBERS:

OTHER PRESENT: Felice Monteiro, Deb Oliviere-Llanes, Lois Carr

Meeting called to order at 11:04 a. m.

MINUTES: Upon a motion duly made and seconded the board unanimously voted to approve the minutes of May 16, 2019 as written into record.

OUTREACH: Lois Carr via written report

- Outreach position was explained to the new board members.
- Intergenerational Sharing event was explained by Ken and was reported to have gone very well.

BRIDGING THE YEARS: Debora Oliviere-Llanes

- Reported on increased membership, past month's events, and the new apartment complex coming in across the street.
- Day program was explained to new members.
- Formula Grant funding programs briefly explained and talked about future programs.
- Report on new furniture coming to BTY.

DIRECTOR'S REPORT: Felice Monteiro via Written Report

- Café has been reopened, the grease traps have been replaced, and the kitchen is better organized.
- Numbers reported on amount of people coming to program.
- New upcoming programs announced.

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TOWN CLERK BOURNE

OTHER BUSINESS:

- Follow up is needed with Tom Guerino about a piano promised to BTY.
- Two more people interested in the membership committee and will be followed up with by Ken.
- Discussion about the possibility of a new greeter position to make the building more welcome to visitors.
- Next meeting will be held in August.
- Ladies Breakfast will start up in August and will alternate monthly with the Men's Breakfast

NOMINATIONS: Voted upon and unanimously approved.

- Sandra Barnard to Secretary
- Ken Blanchard to Chairman
- Vice chairman will be picked in a few months.

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:15 p.m.

Respectfully submitted,

Linda J. Rush
Administrative Assistant

TOWN OF BOURNE

Bourne Council on Aging

Agenda for Regular Meetings

**DATE: August 15, 2019 TIME: 11:00 am PLACE: COA Conference Room
at the Community Center**

AGENDA ITEM

1. **Public Comment**
2. **Review and acceptance of Minutes of previous meetings**
3. **Highlights of written reports to be incorporated in current Minutes**
 - a. **Outreach – Lois Carr**
 - b. **BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. **Director’s Report – Felicita Monteiro**
 - d. **Membership Committee**
4. **Discussion and opportunity for new Vice-chair of Board**
5. **Discussion of recent board training in Wareham.**
6. **Pass out and share educational handouts obtained from former board trainings.**
5. **Review of available new programs such as ukulele, dance**

Kenneth Blanchard, Chair

Bourne Council on Aging

TOWN OF BOURNE

2019 AUG - 7 PM 2:07

RECORDED

TOWN OF BOURNE

2019 AUG 21 AM 8:05
TOWN CLERK BOURNE

**BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF AUGUST 15TH, 2019**

MEMBERS PRESENT: Kenneth Blanchard, Sandra Barnard, Marilyn Jackson, Linda Kelley, Gerri Parham, Joe Donatelle, Lorraine Young

EXCUSED MEMBERS: Linda Kelley

ABSENT: Mary Fuller, Edith Hurd, Donna Pascarella

OTHER PRESENT: Felice Monteiro, Lois Carr, Deb Oliviere-Llanes, Bev Armando

Meeting called to order at 11:12 am.

MINUTES: Upon a motion duly made and seconded the board unanimously voted to approve the minutes of June 20th as written into record, with one correction noted by Felice: Piano to be donated to COA, not BTY.

OUTREACH: Lois Carr (Highlight)

- Reported on Knox Boxes and explained the purpose of them. Many of them have been returned and are now available for use.
- Lois is retiring in 3 months and Craig Davidson will be the new Chairman for Human Services Committee.
- Discussed new requirements for Fuel Assistance applications.

BRIDGING THE YEARS: Debora Oliviere-Llanes (Highlights)

- Reviewed attendance and her report.
- Next Memory Café will be in October and will take place every other month.
- June Memory Café was very well attended with Craig Bautz, while August had lower numbers most likely due to Friday traffic.
- New chairs delivered in July and through a gracious donation a kitchen island was purchased.

DIRECTOR'S REPORT: Felice Monteiro

- Reviewed her report.
- New dishwasher/sanitizing unit to be delivered in September.
- New programs have been finalized. We will have a Book Club every other month starting in September.

- Dance Series will be held quarterly. The first one will be a Harvest Moon theme and the cost will be \$5.00.
- Felice gave a brief update on the first women's breakfast. 17 people were in attendance and very successful.
- Discussions continued about forming a choral group. Still needs further discussion.
- Tom Guerino will deliver piano to the COA before he leaves.
- The Open House was successful although attendance was somewhat lower than hoped for.

OTHER BUSINESS:

- Discussions about field trips. Possible trip to Otis Air Force Base for town. Large trips are done through the Friends.
- Marilyn Jackson was nominated for Vice Chair of COA Board. Seconded by Sandra Barnard.
- Ken gave an update on the Board training in Wareham.
- Ken talked about the Health Fair on October 18th and what needs to be done. A sign-up sheet was passed around for members to volunteer to help with the Health Fair.
- Brief discussion on Census canvassing. Director discussed door to door canvassing.
- Comments by Joe Donatelle on the COA - a new member of the board. All positive.

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:18pm.

Respectfully submitted,

Joel P. Smith
Account Clerk

TOWN OF BOURNE

Bourne Council on Aging

Agenda for Regular Meetings

DATE: September 19, 2019 TIME: 11:00 am

PLACE: COA Conference Room at the Community Center

AGENDA ITEM

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meetings**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach – Lois Carr**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director’s Report – Felicita Monteiro**
 - d. Membership Committee**
- 4. Review of available new programs now in effect, ukulele, dance, and more.**
- 5. Discussion of rebranding of Council of Aging name. Is it needed? Do we want it? How do we process this idea? Establish committee and suggested time frame?**
- 6. How do we recognize past member’s contribution to COA?**
- 7. Discuss liaison to Friends Board**

Kenneth Blanchard, Chair

Bourne Council on Aging

2019 SEP 11 PM 2:33
TOWN OF BOURNE
COMMUNITY CENTER

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF SEPTEMBER 19TH, 2019**

MEMBERS PRESENT: Kenneth Blanchard, Marilyn Jackson, Sandra Barnard, Bev Armando, Joe Donatelle, Edith Hurd, Linda Kelley, Gerri Parham-Andos, Donna Pascarella, Lorraine Young

EXCUSED MEMBERS: None

ABSENT: None

OTHER PRESENT: Felice Monteiro, Lois Carr, Deb Oliviere-Llanes, Nathan Carr, Arnie Carr

Meeting called to order at 11:03 am.

MINUTES: Upon a motion duly made and seconded, the board unanimously voted to approve the minutes of August 15th as written into record.

OUTREACH:

Lois Carr (Highlight)

Lois is using vacation time and may be here in October to attend the meeting. Ken Blanchard read her report.

- Lois has been busy doing her outreach duties by visiting seniors and making phone calls regarding services to seniors as well as information and referral to non seniors.
- She attended the Hoarding Task Force meeting where Andrew O'Dell from the Tenancy Preservation Program spoke on how the program helps to prevent homelessness where individuals are facing eviction as a result of a disability.
- One Knox Box was installed in August and two were returned. We have more available.
- Lois helped five fuel assistance re-certifications this month.
- Lois and Kari met with Monica Johnson, the new Resident Service Coordinator at Coady Residences.
- Lorraine Young asked if something is being done to recognize Lois retiring and inquired about replacing her. Lois' position has been posted internally and through the Cape Cod Times and Felice is waiting to hear results.

TOWN CLERK BOURNE

2019 SEP 26 AM 10:10

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Kari Leighton (Highlight)

Kari Leighton will be attending COA Board meetings starting in November. Marilyn Jackson read Kari's report.

- **Kari has been working closely with the Board of Health on a few cases and have started to meet to discuss how to collaborate which has been helpful.**
- **Elder Services monthly Board of Directors meeting was great for networking.**
- **Kari went to the Bourne Manor anniversary celebration since they have been very supportive.**
- **Kari has been updating CORIs but has not had any new volunteer inquiries and Joyce needs volunteers in the Café.**
- **She is continuing to work closely with Happy Hope Factory.**
- **She did one Knox Box this month.**
- **Kari will be attending Fuel Assistance training on September 10th and has already done five re-certifications.**

BRIDGING THE YEARS: Debora Oliviere-Llanes (Highlights)

- **Reviewed attendance and her report. 4 new inquiries.**
- **Memory Café had 14 participants and was held at Ryan Amusement Center. Next Memory Café is scheduled for October 4th.**
- **TB tests were conducted on Supportive Day Staff as per the contractual requirements with Elder Services.**

DIRECTOR'S REPORT: Felice Monteiro

- **Reviewed her report and gave updates on 10 new programs. There are several new programs that are already full and have people on a waitlist.**
- **The new dance series class needs 20 people in attendance to be successful. The Administrators Assistant has been in contact with another ball room dance leader who has 18 participants which may help attendance.**

OTHER BUSINESS:

- **Discussions about field trips. Large and longer trips are done through the Friends. Talked about the possibility to do larger trips.**
- **Felice stated the smaller and shorter trips are the only thing the COA has time for. The COA does not have the personnel for it currently.**
- **Health & Wellness Fair is October 18th. Members of the board were encouraged to attend.**
- **The dishwasher for the kitchen has been delivered and will be installed within the next week.**

- The piano provided to us turned out to be unusable so Felice did not accept it.
- The discussion on rebranding the Council on Aging and why was postponed due to lack of time. Several board members will investigate what procedures are needed to rebrand the COA's name.
- Gerri and Donna will handle getting a gift to present to Lois for her retirement from the COA Board members.

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:00pm.

Respectfully submitted,

Joel P. Smith
Account Clerk

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2019 OCT -9 PM 2: 46

TOWN OF BOURNE

~~TOWN CLERK BOURNE~~

Bourne Council on Aging

Agenda for Regular Meetings

DATE: October 17, 2019

TIME: 11:00 am

PLACE: COA Conference Room at the Community Center

AGENDA ITEM

- 1. Public Comment**
- 2. Review and acceptance of Minutes of previous meetings**
- 3. Highlights of written reports to be incorporated in current Minutes**
 - a. Outreach –**
 - b. BTY Supportive Day Care – Debora Oliviere-Llanes**
 - c. Director's Report – Felicita Monteiro**
 - d. Membership Committee**
- 4. Discussion of rebranding of Council of Aging name. Is it needed? Do we want it? How do we process this idea? Establish committee and suggested time frame?**
- 5. How do we recognize past member's contribution to COA?**
- 6. Discuss liaison to Friends Board**

Kenneth Blanchard, Chair

Bourne Council on Aging

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF OCTOBER 17TH, 2019**

MEMBERS PRESENT: Kenneth Blanchard, Sandra Barnard, Marilyn Jackson, Linda Kelley, Gerri Parham, Joe Donatelle, Lorraine Young, Linda Kelley, Edith Hurd, Donna Pascarella, Bev Armando

EXCUSED MEMBERS: N/A

ABSENT: N/A

OTHER PRESENT: Felice Monteiro, Deb Oliviere-Llanes, Arnold Carr & Nathan Carr (Liaisons of the Friends of the COA)

Meeting called to order at 11:08 am.

MINUTES: Upon a motion duly made and seconded, the board unanimously voted to approve the minutes of September 16th as written into record.

OUTREACH: Lois Carr (Highlight)

Felice read Lois' report.

- Lois continued to fulfill her outreach duties of making home visits and receiving phone calls regarding services to seniors, as well as providing information and referrals to non seniors.
- As part of Elders at Risk, Lois worked with the Fire Dept, Police Dept, Board of Health, Elder Services and some other agencies to provide services to elders at risk in our town.
- One Knox box was installed in September and one was returned. We currently have Knox boxes available for use.
- Processed six fuel assistance re-certifications for October.
- Starting in November, Kari will be the new facilitator of the Grandparents Raising Grandchildren group and she will be introduced at the October 28 meeting.

OUTREACH: Kari Leighton (Highlight)

Starting in November Kari will be attending the COA Board meetings. Felice read Kari's report.

- Kari attended the Outreach meeting for the month. Even though there wasn't a speaker they still discussed SNAP, Mass Health and the VNA.
- Kari is now on the Elder Services Board of Directors and attends the monthly meetings.

2019 OCT 29 PM 12:42
TOWN OF BOURNE

- There has been a large increase in SNAP applications. Kari is suggesting people that qualify for fuel assistance to also apply for SNAP.
- The Health Fair is almost completely ready and Kari has been receiving registrations, questions and inquiries from several agencies out of the area asking to attend. Unfortunately, we don't have any extra space to accommodate more vendors. However, we have more vendors than the previous event.
- Only had one volunteer inquiry that decided against volunteering. Joyce is in dire need of help in the café. Kari has been working with Linda Zuern and Jennie Sullivan to prepare for the upcoming tax work off meetings.
- Processed one Knox box for the month.
- Kari had Fuel Assistance training and has done four recertifications for the month as well.

BRIDGING THE YEARS: Debora Oliviere-Llanes (Highlights)

- Reviewed attendance and her report. There were 3 inquiries made to the program; 2 intake meetings; 2 trial days and 3 new clients. Out of 24 clients there is a new record high of 11 men in the program.
- Attended the COA staff meeting, Health Fair meeting and My Senior Center training.
- Debora met with Kim Cazeault, Director of Contracts for Elder Services for their annual audit. She reviewed the Consumer Records, Policies and Procedures, Employee Records and Staff Trainings and found everything to be compliant. BTY will schedule a Communicable Disease and Infection Control training (annually) and also start doing Annual Employee Performance Reviews. The town doesn't require them but it is thought to be a positive action.

DIRECTOR'S REPORT: Felice Monteiro

Felice reviewed her own report.

- The Outreach Worker vacancy has been advertised. There have been many interesting applicants. Felice interviewed 3 out of the 5 that were scheduled but she is still waiting for a viable candidate.
- The Ukulele class has been a popular new addition to the list of new programs. We added a second session as the waitlist was great and we didn't want to lose momentum.
- The trip with the Older Adults - Railroad ride through Trowbridge, bogs, etc. It was very exciting, educational and fun and everyone enjoyed the train ride very much.

**TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF NOVEMBER 21, 2019**

MEMBERS PRESENT: Kenneth Blanchard, Bev Armando, Joe Donatelle, Edith Hurd, Gerri Parham, Donna Pascarella, Lorraine Young

EXCUSED MEMBERS: Marilyn Jackson, Linda Kelley, Sandra Barnard

ABSENT: N/A

OTHER PRESENT: Felice Monteiro, Deb Oliviere-Llanes, Kari Leighton, Arnold Carr & Nathan Carr (Liaisons of the Friends of the COA)

Meeting called to order at 11:09 am.

PUBLIC COMMENT:

- Felice introduced the new Outreach worker, Nicole Flaherty
- Ken introduced Diane Carter who is a potential COA board member.
- Arnie spoke about the Food Pantry's Pumpkin Patch at Bourne United Methodist Church and how it exceeded expectations. They received over \$9,200.

MINUTES: Upon a motion duly made and seconded the board unanimously voted to approve the minutes of October 17th as written into record.

OUTREACH: Kari Leighton (Highlight)

- Kari made home visits and received phone calls regarding services for seniors, as well as provided information and referrals to non seniors.
- The Health Fair was a success. There were 36 vendors including a chair massage sponsored by Tufts and food sponsored by Bridges by Epoch. It would have been nice to have more people coming through and we will work on that for the next Health Fair in 2021.
- Andrew O'Dell from the Tenancy Trust Preservation was the speaker at the Outreach meeting which was helpful since Kari is involved in several hoarding cases currently.
- Kari had Elder Services Board training this month as well as an Elder Services Board meeting.
- Felice and Kari interviewed several candidates for the Outreach position and are very happy with Nicole Flaherty who they selected.

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TOWN CLERK ID: 3016

- One Knox box was installed in October. We currently have Knox boxes available for use.
- Kari processed 14 fuel assistance applications.
- Kari also met with two new café volunteers and is waiting for medicals. There were three tax work off meetings and over 120 applicants to which Kari has completed all the CORIS.

BRIDGING THE YEARS: Debora Oliviere-Llanes (Highlights)

- Reviewed attendance and her report. There were 22 Service days with a total attendance of 179 people and 1 trial day.
- The Memory Café was an aromatherapy presentation by Kristine Callahan, CSA Reiki Master and Advisor for 2Sisters Senior Living. 2Sisters provided the refreshments, oils, and roller bottles for the participants to take home. There were 11 participants and the next Memory Café is set for December 6th and will be a holiday celebration.
- The BTY clients were invited to tour a local cranberry bog that is owned by one of the participants. Everyone was given a guided cranberry bog tour and witnessed the harvesting of the cranberries on a beautiful day.
- Linda Felix of North River Homecare came in and presented an Oktoberfest Travelogue for the BTY group and the public. There were 14 participants.
- The Upper Cape Cod Technical Students are back for the next few weeks to administer hand massages and manicures to the clients. This program will run every other week through December. This is a very successful intergenerational program we have been running the past few years.

DIRECTOR'S REPORT: Felice Monteiro

- Reviewed her report. There were 1,410 seniors (Duplicated) that attended programs and 229 seniors (Duplicated) that used transportation during the month.
- The Harvest Moon Dance was a hit with approximately 50+ dancers that showed up and took over the dance floor. Bourne Manor sponsored the refreshments of cheese, crackers and fruit while the COA provided the drinks. We offered surveys that most participants filled out and there was a unanimous response to keep the dance on a Sunday. There is going to be another dance planned for January since it was such a success.
- The Health Fair went very well thanks to Kari. We expected more foot traffic and are unsure as to why we didn't get the attendance we usually get. There were still over 60 people that signed in.

- Lois our longstanding outreach worker has retired and will be missed. Her replacement, Nicole Flaherty, has already been hired and is ready to start working on November 18th. Joel is assisting IT to help Nicole get up to speed.
- Felice met our new Town Administrator, Anthony Schiavi, who is very pleasant and a big fan of the Council on Aging. He has agreed to present at our January Men's Breakfast.
- The COA Director position will be posted on November 18th with interview dates starting December 18th. Felice is planned to retire on January 17th.
- The Giving Tree will be set up in December with requests for winter accessories for the homeless.
- Felice spoke to the Pocasset Community Center about using that location as a satellite office to get more seniors involved that live on Cape side. We are moving forward to try and make this happen. Talking about using the same programs but on an additional day. The Pocasset Community Center just received a grant for renovations to make them ADA compliant.

OTHER BUSINESS:

- Joel calculated the total number of calls to and from the COA for an entire year which is around 18,000. Joel is a great resource even though his time is split between the Department of Natural Resources and the Council on Aging. He is full time October through December.
- There will need to be a different setup in the Veterans Lobby for any future events. Cannot use or enter the blue rug area or setup chairs in that area as it is a memorial.
- Talked briefly about rebranding and will continue the discussion for next month.
- Edith gave a presentation Beyond COA 2020 that was informational and focused on implementing intergenerational goals and encouraging growth by building bonds

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:26pm.

Respectfully submitted,

Joel P. Smith
Account Clerk

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2020 JAN -8 PM 4: 06

TOWN OF BOURNE
BOURNE VETERANS MEMORIAL COMMUNITY/SENIOR CENTER
TOWN CLERK BOURNE COUNCIL ON AGING BOARD OF DIRECTORS
MINUTES OF DECEMBER 19, 2019

MEMBERS PRESENT: Kenneth Blanchard, Bev Armando, Joe Donatelle, Edith Hurd, Donna Pascarella, Lorraine Young, Marilyn Jackson, Sandra Barnard, Dianne Carter

EXCUSED MEMBERS: Felice Monteiro

ABSENT: Linda Kelley, Gerri Parham

OTHER PRESENT: Deb Oliviere-Llanes, Kari Leighton, Toni Schiavi

Meeting called to order at 11:00 am.

PUBLIC COMMENT:

- Felice had a family emergency.
- Ken introduced Dianne Carter who is a new COA board member.
- Toni Schiavi introduced himself and talked with the board about programs, attendance and the future of the COA.

MINUTES: Upon a motion duly made and seconded the board unanimously voted to approve the minutes of November 21st as written into record.

OUTREACH: Kari Leighton (Highlights)

- Kari made home visits and received phone calls regarding services for seniors, as well as provided information and referrals to non seniors.
- The Flu Clinic was a success with 94 shots given out which was a surprise since the clinic was held November 1st.
- Since Kari took over the Grandparents Raising Grandchildren group, she met with Colleen Prittoni who is the Director on the Status of Grandparents Raising Grandchildren. There is now a lending library for the Grandparents that they were thrilled to borrow books from.
- There was Protective Services training at the Outreach meeting which was a good refresher.
- No new Knox boxes were installed in November. We currently have Knox boxes available for use.
- Kari processed 6 fuel assistance applications.
- Kari has been training Nicole Smith the new Outreach Worker by working on housing applications, going out on home visits,

doing SNAP applications and learning a little about how to do fuel assistance applications.

- There was one new volunteer who Kari processed and started in the Café.

OUTREACH: Nicole Smith (Highlight)

- Nicole has been working on building client relationships by making home visits and receiving phone calls regarding services to seniors. She is also providing resources through office visits and phone calls to non-seniors.
- She has been shadowing Kari Leighton during fuel assistance appointments and has assisted in filling out 5 applications with clients. Nicole is also assisting Kari by working with community resources to support at risk elders in town. Nicole still needs more training for fuel assistance applications.
- Nicole met with the Fire Department to implement a more efficient way to track Knox boxes. One Knox box has been returned this month.

BRIDGING THE YEARS: Debora Oliviere-Llanes (Highlights)

- Debora reviewed the attendance and her report. There were 18 Service days with a total attendance of 155 people and no trial days. There were 4 phone inquiries and one tour during the month of November.
- Al Russo performed for the clients at the beginning of the month which they enjoyed.
- One of the participants of the program had seven of their grandchildren come in and performed Christmas songs and show tunes for the rest of the group.
- The Upper Cape Cod Technical Health Students administered hand massages and manicures to the clients. This program will run every other week through December. This is a very successful intergenerational program that has been running the past few years.

DIRECTOR'S REPORT: Felice Monteiro (Highlights read by Ken)

- The Giving Tree for the homeless has been set up and the support from the community has been great. The COA has received hats, gloves, socks, mittens, scarves and even a jacket for both men and women. These are available for anyone in need.
- The Ukulele class is doing very well as there have been requests for an intermediate class which we are considering if we can merge them.

- The Café contract has been updated by the Town Administrator, Toni Schiavi, and is waiting for finalization of policies.
- The new Outreach worker, Nicole Smith, has started work and has been shadowing during home visits, outreach meetings and fuel assistance. Felice is impressed she took it upon herself to introduce and ask for collaboration of programs with the Police and Fire Departments. She is fitting in nicely.
- The COA Director position has been posted. So far, we've received 38 applicants/resumes. We will be interviewing soon.
- The COA is getting ready for the Winter Wonderland Dance slated for January 12th from 1-3pm. Everyone here is looking forward to it.
- The Women's Breakfast for December 11th was cancelled due to lack of attendance. This was a pilot program, and the decision of its continuation will be determined in February.

OTHER BUSINESS:

- Great courses review by Joe Donatelle. The COA board will do more investigating as to the process of presenting courses.
- Need a replacement for Edith to attend Friends meeting. She has planned to attend three meetings and will go to the January meeting, as there was no meeting in December.
- The Friends are going to sponsor our dance sessions with a DJ, janitor, etc.
- Will continue discussion on rebranding for next meeting.
- Ken will contact Plymouth COA to give us an overview and maybe someone from the Barnstable COA to also add info.

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:19pm.

Respectfully submitted,

Joel P. Smith
Account Clerk

Fernandes, Mary

From: Kathy Timmins <ktimmins2@comcast.net>
Sent: Thursday, September 12, 2019 2:41 PM
To: Fernandes, Mary
Subject: Amended BCC Meeting Agenda

BOURNE CULTURAL COUNCIL MEETING AGENDA

September 18, 2019 at 6pm
Jonathan Bourne Library
In the upstairs Conference Room

1. Attendance and Greetings
2. Reports from Secretary and Treasurer
3. Discussion and questions regarding the 2020 Grant Cycle
4. Setting a date for the Grant Voting Meeting
5. Other
6. Adjourn

OWNERS OF TOWN OF BOURNE

2019 SEP 12 PM 4:18

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2019 DEC 18 AM 10: 59

BCC Minutes
September 18, 2019

TOWN CLERK BOURNE

Present: Kathy Timmins, Maria Fitzpatrick, Melissa Healey, Christine Shock, Pat Cook

Mtg started at 6:05 ppm

Discussion of members and verification of contact information

Discussion of photos to be used in new middle school, \$100 per photo, 10 chosen

MH will attend open house for school on Saturday and take photos and post on Facebook page.

BCC will also pay Robin Pearson for signs she is making for middle school as part of our contribution to school display.

PC passed out minutes for discussion and approval. Correction MH actually set up Facebook page. Question regarding the payment for PTA field trip. KT will follow up with Treasurer. KT motion to accept, MF 2nd.

Discussion to vote on paying artists in advance. Postpone until voting mtg with Treasurer present.

Discussion of how to get more applications for funds. Possible Facebook ads or encouraging likes. Reaching out to Bourne school teachers, Table at Canal Day 2020, perhaps share table with the Library, Invite MCC down to see BCC promoted events.

Discussion of members ending role June 2020. Town Hall will be in touch.

Discussion of possible grant voting date. Decision: Nov 13th. 5:30 pm at BPL.

KT motion to Adj. PC2nd. 7PM

Not posted

Bourne Clerk

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2021 MAR 19 AM 10:47

TOWN CLERK BOURNE

Bourne Cultural Council

Meeting Minutes

September 18, 2019

Present: Kathy Timmins, Chair
Maria Fitzpatrick, Member
Christine Shock, Publicity
Melissa Healy, Member
Pat Cook, Secretary

The meeting was called to order at 6:05pm at the Jonathan Bourne Library.

Discussion of Photo Contest of Bourne Villages submitted by local photographers. A prize of \$100 per photo chosen. Ten photos were chosen by Principal Jane Norton.

Bourne Cultural Council agreed to pay Robin Pierson for materials used in making signs for the new intermediate school. This is just one part of our contribution to the display areas in the new school.

Pat Cook, Secretary passed out minutes for discussion. A correction was made to show that Melissa Healey actually set up the Bourne Cultural Council's Facebook page. There was a question regarding the payment for the PTA field trip. Kathy Timmins will follow up with treasurer Patti Parker

Discussion on the Mass Cultural Council's suggestion to pay grant applicants in advance. It was agreed to wait until the next meeting with Patti Parker, Treasurer present.

Kathy Timmins discussed members whose time as a member are ending in June 2020. She explained that Town Hall would be in touch with the terms to continue as members.

Discussion of setting a date for grant voting. The Council agreed upon November 13, 2019 5:30pm at the Jonathan Bourne Public Library.

A motion to adjourn was made by Kathy Timmins and seconded by Pat Cook.

Respectfully submitted by,
Pat Cook, Secretary

Cobb, Cheryl

From: Kathy Timmins <ktimmins2@comcast.net>
Sent: Thursday, November 7, 2019 10:51 AM
To: Cobb, Cheryl
Subject: Agenda Bourne Cultural Council Meeting on 11/13/2019

BOURNE CULTURAL COUNCIL
MEETING AGENDA
WEDNESDAY, NOVEMBER 13, 2019
JBPLibrary at 5:30pm

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2019 NOV -7 AM 11:19
TOWN CLERK BOURNE

1. Attendance & Introductions
2. Secretary's Report
3. Treasurer's Report
4. Discussion of grants
5. Decisions and voting
6. New business: Appointing a member to serve on the Community Engagement Committee
7. Other
8. Adjourn

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Bourne Cultural Council
Kathy Timmins
508 5930-8350
ktimmins2@comcast.net

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March 16, 2021

2021 MAR 25 PM 2:36

TOWN CLERK BOURNE

Barry Johnson,
Town Clerk

Enclosed please find two Meeting Minutes from the Bourne Cultural Council. Revised minutes from Sept. 18, 2019 and November 19, 2020. The Council did not meet on November 7, 2019.

Thank you for calling me regarding the errors in our minutes. We now have a new Secretary, Beth Hussan and we will work together to complete our minutes in a timely matter with a format that reflects the Open Meeting Bylaws.

Thank for your patience,
Kathy Timmins

