

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: May 20, 2020
(Via Zoom Remote)

I. CALL MEETING TO ORDER

The meeting was called to order at 6:30 P.M.

II. ROLL CALL

Members Present: Sandy Slavin, Chair
Ken Baptiste
Robert Lassen
David Hall
Elissa Heard
Michael Mercier, Associate member
David Pichette, Agent

Member Absent: Mary Taggart

III. PRELIMINARY BUSINESS

A. Discussion: ConCom to vote to allow agent to sign members' signatures

Mr. Pichette discussed options/methods for members' signatures on documents. He recommended both options.

B. Approval of meeting minutes: April 7, 2004 & May 19, 2004

MOTION: Mr. Baptiste moved to accept the meeting minutes of April 7, 2004. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to accept the meeting minutes of May 19, 2004. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

IV. PUBLIC HEARINGS

A. RDA - Michael & Susan Lenihan

The public hearing notice was read into the record.

Present before the ConCom: Michael Lenihan

Mr. Pichette described the project. The property is located at 32 Agawam Dr. The project involves the construction of a 6x11 ft. bathroom addition in the buffer zone to Agawam Mill Pond. No grade changes proposed. Erosion control will be used. He recommended a Negative Determination #3.

MOTION: Mr. Baptiste moved to close the public hearing for Michael & Susan Lenihan. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant a Negative #3 Determination for Michael & Susan Lenihan. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

C. RDA – Jodi A. Meyer

The public hearing notice was read into the record.

Present before the ConCom: Jodi Meyer

Mr. Pichette described the project. The property is located at 28 Ames Island Rd. The project involves the construction of a 16x27 ft. paver patio, concrete wall, replacement of stairs & landscaping w/in the buffer zone to Agawam Mill Pond. He noted a chain-linked fence near the pond. He recommended a Negative Determination #3.

Brief discussion ensued re: the chain-linked fence & fines.

MOTION: Ms. Heard moved to close the public hearing for Jodi A. Meyer. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Lassen moved to grant a Negative #3 Determination & a \$300.00 fine for Jodi A. Meyer. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

D. RDA – Christie Dupuis

The public hearing was read into the record.

Present before the ConCom: Christie Dupuis

Mr. Pichette described the project. The property is located at 12 Deangelo Rd. The project involves the removal of an existing garage & the construction of a new 19x42 ft. garage w/in a coastal flood zone AE, elevation 15. He recommended a Negative Determination #2.

MOTION: Mr. Lassen moved to close the public hearing for Christie Dupuis. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Lassen moved to grant a Negative #2 Determination for Christie Dupuis. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

E. RDA – Thomas J. Parenteau, TJP Realty, LLC, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Brian Grady, G.A.F. Engineering, Inc.

Mr. Pichette stated this application is to be withdrawn & an NOI filed for an access road. He noted a violation at the site under an OOC which involved clearing of vegetation w/in the wetland & buffer zone to the wetland. He recommended the new NOI include details for restoration of the wetland & buffer zone area & a fine be issued.

MOTION: Ms. Heard moved to accept the RDA application withdrawal for Thomas J. Parenteau, TJP Realty, LLC & to issue a \$300.00 fine. Mr. Lassen seconded.

VOTE: Unanimous (5-0-0)

F. NOI – Jordan Realty Associates, Inc., c/o G.A.F. Engineering, Inc. – SE76 2602

The public hearing notice was read into the record.

Present before the ConCom: Brian Grady, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 2363 Cranberry Highway. The project involves site work at a commercial property in the buffer zone to BVW. Tree clearing, grading work & construction of a concrete block wall is proposed. Erosion control will be used. A portion of site will need to be filled. A DEP file number has been assigned. He recommended the issuance of an OOC w/ standard conditions & the added condition that only clean fill be used.

MOTION: Mr. Lassen moved to close the public hearing for Jordan Realty Associates, Inc. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Lassen moved to grant an Order of Conditions w/ standard conditions for Jordan Realty Associates, Inc. & the added condition that only clean fill be used. Mr. Baptiste seconded.

MOTION: Unanimous (5-0-0)

G. NOI – Continental Marina Corp., c/o G.A.F. Engineering, Inc. – SE76-2601

The public hearing notice was read into the record.

Present before the ConCom: Brian Grady, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 3236 Cranberry Highway. The project involves the removal of an underground fuel storage tank & fuel lines w/in a paved parking lot in the buffer zone to a coastal bank & w/in a coastal flood zone. The tank is abandoned & not in use. Erosion control will be used & barrier around the catch basin. He recommended the issuance of an OOC w/

standard conditions & the added conditions that barrier protection be used around the catch basin & that any structures to be removed are disposed of under applicable laws.

MOTION: Mr. Baptiste moved to close the public hearing for Continental Marina Corp. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Heard moved to grant an Order of Conditions for Continental Marina Corp. w/ standard conditions & the added conditions that barrier protection be used around the catch basin & any structures to be removed are disposed of under applicable laws. Mr. Lassen seconded.

VOTE: Unanimous (5-0-0)

H. NOI – Sue Ann Morley, c/o G.A.F. Engineering, Inc. – SE76-2600

The public hearing notice was read into the record.

Present before the ConCom: Bob Rogers, G.A.F. Engineering, Inc.
 Sue Ann Morley

Mr. Pichette described the project. The property is located at 10 Stone Ave. The project involves the construction of an 8x24 ft. addition, 16 x20 ft. in-ground pool & deck expansion, part of which is on the coastal bank & w/in the 30 ft. no activity zone on to a coastal bank, w/in the buffer zone to BVW & w/in a coastal flood zone. Erosion control will be used. A DEP file number has been assigned. He recommended the addition be approved, but the pool & deck which are in the 30 ft. no activity zone be denied.

Mr. Rogers discussed the property, topography & asked if there was any way to minimize the project for approval.

Discussion ensued re: the 30 ft. no activity zone standards as they apply to this project.

MOTION: Mr. Baptiste moved to continue the public hearing for Sue Ann Morley to June 3, 2020. Mr. Lassen seconded.

VOTE: Unanimous (5-0-0)

I. NOI – Tina DeAngelis, c/o Lockwood Architects – SE76-2599

The public hearing notice was read into the record.

Present before the ConCom: Bill Lockwood, Lockwood Architects

Mr. Pichette described the project. The property is located at 21 & 23 Bayberry Rd. The project involves the construction of a 14x28 ft. garage in the buffer zone to a coastal bank & w/in coastal flood zone VE, elevation 30. No driveway proposed. Erosion control to be used. A DEP file number has been assigned. He recommended the issuance of an OOC w/ standard conditions & the added condition that no driveway be installed as part of this application.

Brief discussion ensued re: VE zone structural requirements, such as break away walls & concerns re: what will be stored in the structure.

MOTION: Mr. Lassen moved to close the public hearing for Tina DeAngelis. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Lassen moved to grant an Order of Conditions for Tina DeAngelis w/ standard conditioned & the added conditions that no driveway be installed as part of this application & no hazardous materials be stored in the garage. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

B. CONTINUED PUBLIC HEARINGS

A. NOI – Kenneth Deluze, c/o G.A.F. Engineering, Inc. – SE76-2587

Present before the ConCom: Brian Grady, G.A.F. Engineering, Inc.

The revised plan was displayed. Mr. Grady stated the Building Commissioner has approved the reduced setback shown on plan.

Mr. Pichette described the project. The property is located at 104 Great Neck Rd. The project involves the demolition of an existing dwelling & the construction of a new dwelling & garage on a coastal bank & in the buffer zone to BVW. He expressed concern re: features such as a deck & retaining wall in the 30 ft. no activity zone & the garage.

Mr. Grady discussed competing interests w/ ConCom & zoning requirements.

Discussion ensued re: the garage, the 30 ft. no activity zone, reconfiguring the garage & zoning setbacks.

MOTION: Mr. Baptiste moved to continue the public hearing for Kenneth Deluze to June 3, 2020. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Edward & Susan Cabral, c/o Alpha Survey Group, LLC – SE76-2592

The applicant has requested a continuance.

MOTION: Mr. Baptiste moved to continue the public hearing for Edward & Susan Cabral to June 3, 2020. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

C. EXTENSION REQUESTS

D. ENFORCEMENT ORDERS

E. CERTIFICATES OF COMPLIANCE

A. John Spinale – 9 Oak Hill Road

The project involved the demolition of an existing dwelling & construction of a new dwelling. Project has been completed according to the OOC. Mr. Pichette recommended the issuance of a COC.

MOTION: Ms. Heard moved to grant a Certificate of Compliance for John Spinale – 9 Oak Hill Rd. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

B. Richard Smith – 39 Priscilla Avenue

Mr. Pichette asked that this COC not be addressed at this time.

C. Mark Patrick – 97 Edgewater Drive

The project involved the construction of an addition. The project has been completed according to the OOC. Mr. Pichette recommended the issuance of a COC.

MOTION: Ms. Heard moved to grant a Certificate of Compliance for Mark Patrick – 97 Edgewater Drive. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

F. ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE

A. Discussion: Next meeting dates

Discussion ensued re: meeting every week vs. every two weeks for a while to get caught up. The ConCom members' concurred to meet every week.

NOTE: Discussion ensued re: allowing electronic signatures or have the agent sign for members.

B. Discussion: Appointments/Reappointments

C. Discussion: Conservation Restriction/Stewardship

D. Discussion: Bills

G. ADJOURNMENT

MOTION: Mr. Baptiste moved to adjourn the meeting at 8:22 P.M. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

Date signed: 8/18/2021 4-0-1

Attest: 
Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Wareham Town Clerk: 8/19/21