

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: October 4, 2017

I. CALL MEETING TO ORDER

The meeting was called to order at 7:02 P.M.

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
Sandy Slavin, Vice Chair
Joe Leggett
Ellisa Heard
William Smith
Robert Lassen, Associate Member
David Pichette, Agent

Members Absent: Mark Carboni
Mary Taggart
Donald Rogers

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: August 16, 2017

MOTION: Ms. Slavin moved to approve the meeting minutes of August 16, 2017 as amended. Mr. Leggett seconded.

**VOTE: (4-0-1)
Mr. Baptiste abstained**

**NOTE: The meeting proceeded w/ item IX. Any other business/discussion – C.
Discussion: Potential Project – Pinehurst Beach Improvement Association.**

Present before the ConCom: Kevin Murphy
Mr. Infussi

Mr. Murphy stated they are before the ConCom to seek guidance from the ConCom. The beach sea wall is failing & the beach is eroding, more so since two significant storms. There is about an inch of sand holding up the wall & there is no footing. The wall is leaning. They are afraid of losing the wall & they can't afford a brand new one. They have spoken to an engineer & have a plan to trench behind the existing wall, pin the wall to a new concrete wall on the land side of the beach to hold the existing wall up & bring the sand back that was lost in 1991.

Mr. Murphy stated they are in the process of finalizing the application for a Chapter 91 license & working w/ the Town. It has been said that the Town cannot fix the steps so they are requesting that rocks/stone on the steps & requesting that a 30-day emergency permit. He spoke re: Town land where the steps are.

Mr. Infussi stated they are in the process of filling out the application for an NOI. He submitted drawings of what they plan to do.

Mr. Infussi stated a 30-day emergency permit is needed by the ConCom to act on this wall right now. Mr. Pichette stated they should be submitting the NOI application to go through the process first. The process would take about 30 days. He noted the wall is in need of repair. Mr. Infussi argued that they can't take the chance of the wall falling down because they can't afford a new one, that is why something needs to be done right now before something happens. Mr. Pichette stated an emergency permit decision is up to the ConCom. He noted temporary braces could be put in place in the meantime.

Mr. Pichette stated the process for the NOI will be the same for an emergency permit. The consensus of the ConCom was to submit an NOI application in which the deadline for said application is tomorrow. Discussion ensued re: stair access & what can & cannot be done.

IV. PUBLIC HEARINGS

A. NOI – David Lowe, c/o Gateway Survey Associates, LLC – SE76-2446

The public hearing notice was read into the record.

Present before the ConCom: Gateway Survey Associates Representative

Mr. Pichette explained that a site inspection was made at 23 White Pine Ave. The project involves upgrading a septic system in the buffer zone to a BVW. An existing cesspool is to be upgraded to a new Title V nitrogen reducing system. The new leach field would be a raised field & would only be 12 ft. from the edge of the wetland. Due to the presence of existing wells, there are no other places to situate the leach field other than the proposed location. The leach field would have a retaining wall around it 3 ft. high. He questioned what the wall would be made of. He explained there would also be a plastic barrier lining around the leach field perimeter. The septic tanks would be 17 ft. from the edge of the wetland. An existing shed is to be removed to accommodate the system. Haybales & silt fence should be used for erosion control along the edge of the property. A DEP file # has been received & the Board of Health has already approved the project. He recommended the issuance of an Order of Conditions w/ standard conditions & the added condition re: haybales & silt fence.

The representative discussed issue w/ wells & situating the septic system where it is proposed. He spoke to the engineer & there is a chance of sliding the leach field & the wall towards White Pine Ave. slightly. Silt fence may be the only thing that can be used on some of the lot lines.

The representative discussed the wall features.

MOTION: Ms. Slavin moved to close the public hearing for David Lowe. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions w/ standard conditions & the added condition re: haybales where possible & silt fence for David Lowe. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Mark & Martha Fishman, c/o Environmental Consulting & Restoration, LLC

The public hearing notice was read into the record.

The applicant has requested a continuance to November 1, 2017.

MOTION: Ms. Slavin moved to continue the public hearing for Mark & Martha Fishman to November 1, 2017. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – William Mootos

NOTE: This hearing was put onto the agenda in error.

B. NOI – Garry Buckminster/Wareham Harbormaster/Shellfish Dept., c/o the Nature Conservancy – SE76-2432

The applicant has requested a continuance to October 18, 2017.

MOTION: Ms. Slavin moved to continue the hearing for Garry Buckminster/Wareham Harbormaster/Shellfish Dept. to October 18, 2017. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

VI. EXTENSION REQUESTS

A. Ninety-Six Realty, LLC – Blackmore Pond Road

Mr. Pichette explained this request is to extend a wetland delineation approval the ConCom approved several years ago. The applicant is seeking a one-year extension. He recommended the extension.

MOTION: Ms. Slavin moved to approve a one-year extension for Ninety-Six Realty, LLC. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

B. Hill Financial Co. – Minot Avenue

This item was not handled.

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. Renewable Generation (NextSun), Protect Energy Solutions – Beaver Creek Lane

Mr. Pichette stated everything looks fine now (as of today). They did what the ConCom asked them too.

MOTION: Ms. Slavin moved to grant a Certificate of Compliance for Renewable Generation (NextSun). Mr. Smith seconded.

VOTE: (4-0-1)

Mr. Leggett abstained

B. John Balciunas – 63 Edgewater Drive

Mr. Pichette explained this dealt w/ a sheet pile wall & the design was questionable. The project has been completed per plan the ConCom approved.

MOTION: Ms. Slavin moved to approve a Certificate of Compliance for John Balciunas. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

C. WEBBKO, Inc. – 17 Deane Street

Mr. Pichette explained this was for a project that was never pursued. The OOC has since expired. The applicant is looking to clean-up the OOC w/ a Certificate of Compliance. He recommended the issuance of a Certificate of Compliance noting the OOC is invalid & no future work is proposed under this OOC.

MOTION: Ms. Slavin moved to grant a Certificate of Compliance for WEBBKO, Inc. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Stone Bridge Drainage – Onset

Mr. Pichette updated the ConCom that the Town did attempt to make modifications to the drainage to improve the circumstances. The drainage situation has not improved. He will be meeting w/ the Town engineer to discuss other alternatives to remedy this matter. Lengthy discussion ensued re: what is happening w/ the drainage system especially w/ rain events.

B. Discussion: Steven King – 12 Riplah Road

Mr. Pichette stated Mr. King has formally submitted an application.

C. Discussion: Potential Project – Pinehurst Beach Improvement Association (DONE)

D. Discussion: Reappointments

Mr. Baptiste discussed openings.

MOTION: Mr. Leggett moved the ConCom recommend to the Board of Selectmen making Mr. Lassen a full (voting) member of the Conservation Commission. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

E. Discussion: Conservation Restriction/Stewardship

F. Discussion: Bills

G. Discussion: Appointments

X. ADJOURNMENT

MOTION: Ms. Slavin moved to adjourn the meeting. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____

