

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: December 20, 2017

I. CALL MEETING TO ORDER

The meeting was called to order at 7:03 P.M.

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
Joe Leggett
Mary Taggart
Elissa Heard
Jim Smith
Robert Lassen
David Pichette, Agent

Members Absent: Sandy Slavin
Mark Carboni, Associate Member
Donald Rogers, Associate Member

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: October 4, 2017

This item will be handled later in the meeting.

NOTE: The meeting proceeded w/ item V. Continued Public Hearings – A. NOI – Wareham Fire District – Water Department, c/o Kleinfelder – SE76-2453.

Present before the ConCom: Andy Reid, Wareham Water Dept. Superintendent

Mr. Baptiste stated he will recuse himself from this hearing. He departed from the table at this time.

Mr. Pichette described the project. The property is off Maple Springs Rd. The project involves the installation of a new water main, some of which is in the buffer zone to BVW. Approx. 3100 ft. of 14 inch water main is to be installed from an existing Town well #6 to the existing main near well #3 on Maple Springs Rd. Some of the work would be in the buffer zone to wetland, which consists of cranberry bog & natural BVW. The nearest work to the wetland would be 50 ft. the trench work would be w/in or just along the edge of the existing gravel road that runs w/in the existing electrical easement. Haybales would be installed between the work & the resource areas in locations where the work falls w/in the buffer zone. A DEP file number has been received & the abutter notifications have now been received. He recommended the issuance of an OOC w/ standard conditions.

MOTION: Ms. Heard moved to close the public hearing for the Wareham Fire District – Water Dept. Ms. Taggart seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Heard moved to grant an Order of Conditions w/ standard conditions for Wareham Fire District – Water Dept. Ms. Taggart seconded.

VOTE: Unanimous (5-0-0)

NOTE: Mr. Baptiste returned to the table at this time.

B. NOI – Adrian & Rhonda Michaud, c/o JC Engineering, Inc. – SE76-2458

Present before the ConCom: Brad Bertollo, JC Engineering, Inc.
Rhonda Michaud

Mr. Pichette explained the project. The property is located at 97 Blackmore Pond Circle. The project involves the construction of a single family dwelling in the buffer zone to BVW. The driveway to access the dwelling is proposed to be from Carmichael Way. A 32x24 dwelling is proposed 90 ft. from the edge of Blackmore Pond. The proposed limit of work 68 ft. from the edge of the wetland. Other work in the buffer zone includes tree clearing & grading as shown on the site plan. The wetlands line was checked & there was a change made to the wetland line. The change is reflected on the current plan. The proposed septic system is a nitrogen reducing system & would be outside the buffer zone to the wetlands. The system will be a raised system & a retaining wall is proposed around a portion of the septic system closest to Carmichael Way. The system will be raised by 4 ft. Haybales & silt fence would be installed between the work & the resource area. A dewatering containment area is shown on the plan to be used in case dewatering is needed during the excavation. A DEP file # has been received. He recommended the issuance of an OOC w/ standard conditions w/ the added conditions for dewatering.

Present before the ConCom: Mr. Cohen

Mr. Cohen has no objections to the wall.

MOTION: Mr. Leggett moved to close the public hearing for Adrian & Rhonda Michaud. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant an Order of Conditions for Adrian & Rhonda Michaud w/ standard conditions & the added conditions for dewatering. Mr. Smith seconded.

VOTE: Unanimous (6-0-0)

C. NOI – David Coughanowr, c/o Leary F.P. LLC

The applicant has requested a continuance to January 3, 2018.

MOTION: Mr. Leggett moved to continue the public hearing for David Coughanowr to January 3, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

IV. PUBLIC HEARINGS

A. RDA – Guy Campinha, c/o GHD, Inc.

The public hearing was read into the record.

Present before the ConCom: Anastasia Devinco, GHD, Inc.

Mr. Pichette described the project. The project is at two pump station locations in Town; Lopes Field & Cohasset Narrows. The project involves bypass connections to these sewer pump stations to create a connection point for sewer trucks to hook up to in the event of power or equipment failures at these pump stations. This is part of an effort to address flood resiliency. Trench work will be done to install underground piping. At the Lopes Field pump station, work is in the flood zone, but not near any other resource areas. The Cohasset Narrows station, the work would involve trenching & tie into the existing force main. This work is in the buffer zone to a coastal bank. The work is not extensive. He recommended the issuance of a Negative Determination #2.

MOTION: Mr. Leggett moved to close the public hearing for Guy Campinha. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to issue a Negative Determination #2 for Guy Campinha. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

B. NOI – Gary du Moulin, c/o McKinnon & Keese Eng.

The public hearing notice was read into the record.

The applicant has requested a continuance to January 3, 2018.

MOTION: Mr. Smith moved to continue the public hearing for Gary duMoulin to January 3, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

C. NOI – Bruce Miller, c/o G.A.F. Engineering, Inc. – SE76-2459

The public hearing notice was read into the record.

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 258 Barker Road. The project involves the installation of a dock in White Island Pond. A 4x40 aluminum dock is proposed to be installed. The dock is proposed to be seasonal & would be removed before the winter. Pipe piles are proposed to be installed at the end of the structure. They are proposed to be left in year round. He recommended the outer piles be removed when the dock is removed for the season. There will be 3.2' of water at the end of the dock. He asked what boats would use the structure. He questioned the draft. A DEP file number has been received. He recommended the issuance of an OOC w/ the standard conditions & the added conditions that the outer pipe piles be removed in the off season & the dock be stored in an upland area & boats using the structure meet the standard in terms of having at least 12 ft. of water between the lowest part of the vessel & the substrate, which should be a continuing condition.

Mr. Madden stated a pontoon style boat would be used & w/ the motor down, there would be a draft of 3 ft. Mr. Pichette stated this may be a problem w/ the motor & draft & doesn't meet the standard. Mr. Madden stated a plate could be installed to raise the motor up. Mr. Pichette stated the draft is 3.2 at the end of the dock. Mr. Madden stated currently, the owner pulls the boat up on the beach so they felt a dock would be an improvement. He stated a condition could be placed on the OOC to modify the boat motor w/ the installation of a plate to raise it up. Mr. Pichette feels the ConCom should see something of this nature before closing out the hearing. Mr. Lassen stated no-one intentionally drives their motor through the sand. They can raise the motor up on the console when driving in. Mr. Leggett feels that pontoon boats don't draw that much water.

MOTION: Mr. Leggett moved to continue the public hearing for Bruce Miller to January 3, 2018. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

D. NOI – Mann Farms, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at Lot 1027 off of Marion Rd. & Hathaway Rd. The project involves renovating & squaring off existing cranberry bogs, constructing dike roads, & installing new flumes. The existing bogs will be renovated & reshaped according to the new plan. This will

result in an increase in bog area. He asked what the net increase of the bog area will be. He asked how the stream w/in the bog system will be contained during construction so as to prevent silt from flowing downstream. He asked how capacity of the tailwater recovery pond will be improved as mentioned in the NOI. He stated the NOI shows a silt fence for erosion control. He stated there should be silt fence & haybales. A DEP file # has been received. He recommended a continuance of the hearing.

Mr. Madden spoke re: the plan w/ the increased bog area description. There will be no tailwater recovery work. He discussed haybale placement, water pumping plans, & managing water flow. Discussion ensued. Mr. Pichette would like to see something in writing or on the plan showing how water flow management will be done. Brief discussion ensued re: erosion control barriers & placements.

MOTION: Mr. Leggett moved to continue the public hearing for Mann Farms to January 3, 2018. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

E. NOI – Patricia A. Chase, c/o JC Engineering, Inc.

The public hearing was read into the record.

Present before the ConCom: Brad Bertollo, JC Engineering, Inc.

Mr. Pichette described the project. The property is located at 45 Prospect St. in Onset. The project involves repairs to the footing of an existing seawall on a coastal beach & coastal bank. The length of the wall to be repaired is 50 ft. The applicant has proposed two alternatives. One involves installing a poured concrete footing & the second alternative involves driving vinyl sheet piling in front of the existing footing & backfilling it w/ concrete. The vinyl sheet piles will be cut off at the height of the footing. The vinyl sheet pile would involve less disturbance to the coastal beach area. Concrete would be pumped into the site from the upland side. Access for equipment needs to be more clearly explained. No DEP file number has been received. He recommended a continuance of the hearing.

Mr. Bertollo stated the applicant wishes to go w/ the vinyl sheet pile alternative. Mr. Pichette asked if there is a formal letter from the Beach Association re: this project.

Present before the ConCom: Patricia Chase

Ms. Chase discussed her preference for the vinyl sheet pile alternative. She is the Vice President of the Beach Association. She can obtain something in writing. She noted this wall was repaired by her father in 1999. This past winter, due to storms, they have lost 12-14 inches of sand which has undermined the wall.

Mr. Bertollo discussed the use of a small excavator. Brief discussion ensued re: the life expectancy of the wall after repairs.

Several neighbors spoke in favor of the project.

Mr. Pichette stated as far as the haybales, if it is going to be sheet piles, then they are not needed.

MOTION: Mr. Leggett moved to close the public hearing for Patricia Chase. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant an Order of Conditions w/ standard conditions for Patricia Chase & w/ additional conditions that there be mats on the beach for machinery & a written letter from the Association for permission to be on the beach. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

F. NOI – Richard J. Smith, Trustee, c/o JC Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Brad Bertollo, JC Engineering, Inc.

Mr. Pichette described the project. The property is located at 39 Priscilla Ave. The project involves the demolition of an existing dwelling & the reconstruction of a new dwelling in the buffer zone to White Island Pond. An existing 20x38 dwelling w/ associated retaining walls is to be removed & a new 24x44 dwelling w/ attached wrap around deck is proposed 17 ft. from the edge of the pond. It appears that certain structures at the site are off the subject property, for example, docks & rip rap retaining wall. There also appears to be an area being used as a boat ramp. He questioned if docks & other structures licensed. The new septic system for the structure will be at the furthest point on the lot from the edge of the pond up by Priscilla Ave., but would still be in the buffer zone 71 ft. from the edge of the pond. A proposed deck around the new dwelling is to be expanded w/in the 30 ft. no activity zone compared to what currently exists. He recommended the proposed structure be scaled back so as not to increase structures w/in the 30 ft. no activity zone. The proposed deck would be supported by sonotubes & would have a sunroom on a portion of the new deck. Haybales & silt fence shall be installed between the work & the resource area as shown on the plan. A DEP file # has been received. He recommended a continuance of the hearing for a revised plan.

Mr. Bertollo stated the dock shown north is an abutting dock. When the owner purchased the property, the wooden dock was there, but he added the aluminum dock that is taken out seasonally. He doesn't believe there is a license for that, but the owner is willing to get licensed for it.

Mr. Bertollo discussed the project details. Ms. Heard asked re: the sunroom. Mr. Bertollo discussed the specifics of the sunroom. Discussion ensued re: modifying the configuration of the house design/placement.

MOTION: Mr. Leggett moved to continue the public hearing for Richard J. Smith to January 3, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

V. CONTINUED PUBLIC HEARINGS

- A. NOI – Wareham Fire District – Water Department, c/o Kleinfelder – SE76-2453 (DONE)**
- B. NOI – Adrian & Rhonda Michaud, c/o JC Engineering, Inc. – SE76-2458 (DONE)**
- C. NOI – David Coughanowr, c/o Leary F.P., LLC (DONE)**

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

NOTE: The meeting went back to item III. Preliminary Business – A. Approve meeting minutes: October 4, 2017.

MOTION: Mr. Leggett moved to approve the meeting minutes of October 4, 2017. Ms. Heard seconded.

**VOTE: (5-0-1)
Ms. Taggart abstained**

VIII. CERTIFICATES OF COMPLIANCE

- A. Edith Percival – 94 Highland Shores Drive**

MOTION: Mr. Leggett moved to grant a Certificate of Compliance for Edith Percival – 94 Highland Shores Drive. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

- B. Mark Rizzoli – 4 Onset Avenue**

MOTION: Mr. Leggett moved to grant a Certificate of Compliance for Mark Rizzoli – 4 Onset Avenue. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

- A. Discussion: Reappointments**
- B. Discussion: Conservation Restriction/Stewardship**
- C. Discussion: Bills**
- D. Discussion: Appointments**

X. ADJOURNMENT

MOTION: Mr. Leggett moved to adjourn the meeting at 8:25 P.M. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____