

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: March 1, 2017

I. CALL MEETING TO ORDER

The meeting was called to order at 7:15 P.M.

II. ROLL CALL

Members Present: Ken Baptiste
Joe Leggett
Elizabeth Lydon
Elissa Heard
Dave Pichette, Agent

Members Absent: Mark Carboni, Associate Member
Sandy Slavin
Mary Taggart
Jim Smith
Donald Rogers, Associate Member

III. PRELIMINARY BUSINESS

Approve meeting minutes: July 20, 2016 & January 18, 2017

MOTION: Ms. Lydon moves to approve the minutes of July 20, 2016. Mr. Leggett seconds.

VOTE: (4-0-0)

MOTION: Ms. Lydon moves to approve the minutes of January 18, 2017. Mr. Leggett seconds.

VOTE: (4-0-0)

IV. PUBLIC HEARINGS

RDA – Ben Marshall, c/o JC Engineering, Inc.

Present before the Commission: Brad Bertholo, JC Engineering, Inc.

A site inspection was made at 2 Acorn Street in onset. The project involves the construction of a duplex within a coastal flood zone. A 28x50' duplex dwelling is proposed within flood zone AE El 14. The project is not in the buffer zone to any other resource areas. Minor grading will be done on the site as indicated on the plan. Each duplex unit will have a deck and its own paved driveway. The structures will be serviced by town sewer and water. Mr. Pichette recommends the issuance of a Negative Determination #2 for the project.

MOTION: Mr. Leggett moves to close the public hearing. Ms. Heard seconds.

VOTE: (4-0-0)

MOTION: Mr. Leggett moves to approve the project with a Negative #2 Determination. Ms. Lydon seconds.

VOTE: (4-0-0)

RDA – Charlotte Furnace, LLC, c/o Green Seal Environmental, Inc.

Present before the Commission: No one is present at this time.

The applicant has requested a continuance until March 15, 2017.

MOTION: Ms. Lydon moves to continue the public hearing until March 15, 2017. Ms. Heard seconds.

VOTE: (4-0-0)

NOI – Kristine Frederickson, c/o G.A.F. Engineering, Inc.

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

A site inspection was made at 56 Canedy Street in the Rose Point area. The project involves the demolition of an existing dwelling and the construction of a new dwelling and garage in the buffer to a coastal bank and within the riverfront area of the Sippican River. An existing 28x33' dwelling is to be removed and a new 27x30' dwelling with deck and attached 24x24' garage is proposed 18' away from the top of the coastal bank. 4 drywells are proposed to handle roof runoff from the proposed structures. The new project increases the square footage of alteration within the riverfront area. Mr. Pichette asks what the existing and proposed square footages of alteration within the riverfront area are. There is a shed there labeled as existing shed. This appears to be an unpermitted structure that has only been placed there fairly recently with no approval from the Commission. This should be included as new square footage of alteration in the riverfront area. There has also been some alterations regarding cutting vegetation right up to the top of the coastal bank. This is also a violation. No alternatives analysis has been submitted as part of the NOI application. This should be required. Mr. Pichette recommends eliminating the garage to reduce square footage of alteration. No DEP file # has been received. Mr. Pichette recommends a continuance of the hearing to the next meeting date, March 15.

Mr. Grady states that the lot pre-dates 1996 stating that this was an existing lot in riverfront area and that the regulations cannot prevent a home from being built, which is what prompts the alternatives analysis. Mr. Grady states that the existing shed on the lot will be relocated. Mr. Grady also feels that the garage is not an unreasonable request.

MOTION: Mr. Leggett moves to continue until March 15, 2017. Ms. Lydon seconds.

VOTE: (4-0-0)

NOI – Cleanup of Agawam Mill Pond, Inc., c/o Solitude Lake Management – SE76-2428

Present before the Commission: Mike Lanahan, President of Cleanup of Agawam Mill Pond, Inc.

The project site is the Agawam Mill Pond. The project involves controlling non-native plant growth in Agawam mill pond by chemical treatment. The project site also contains a herring run and therefore the project needs to be reviewed by the Division of Marine Fisheries (DMF). Also, MA NHESP would be commenting on the project relative to endangered species habitat downstream from the site. Agawam Mill Pond has significant amounts of submersed invasive non-native plant species, primarily fanwort. The proposed methodology is to apply the herbicide “clipper” to the pond in the Phase II area shown on the plan. The Phase II area is a 37 acre area immediately downstream of the Phase I area that was already treated with the herbicide application last year. The application of the herbicide would be done by a licensed applicator from a power boat with a dispensing system. Question affects to non-target species. Mr. Pichette asks about the containment of the herbicide to the treatment area. A DEP file # has been received. At this point comments have not been received from the MA DMF or from the MA NHESP. Mr. Pichette recommends a continuance of the hearing to the next meeting on March 15th, 2017.

MOTION: Mr. Leggett moves to continue the public hearing until March 15, 2017. Ms. Heard seconds.

VOTE: (4-0-0)

CONTINUED PUBLIC HEARINGS

NOI – Frank Adrean, Nanumett Shores Improvement Association, c/o G.A.F. Engineering, Inc. – SE76-2413

Present before the Commission: No one is present at this time.

The applicant requested a continuance until March 15, 2017.

MOTION: Ms. Lydon moves to continue the public hearing until March 15, 2017. Mr. Leggett seconds.

VOTE: (4-0-0)

V. EXTENSION REQUESTS

VI. ENFORCEMENT ORDERS

VII. CERTIFICATES OF COMPLIANCE

Matthew Shannon – 1 Wareham Lakeshores Dr.

This project involved the construction of a garage in the buffer zone of a wetland. The garage has been completed. There were a few minor deviations from the plan. The original plan shows grading on the wetland side of the driveway, a low stone wall was put in place in lieu of grading. Behind the garage is filled with crushed stone instead of grading. The change is not significant.

MOTION: Ms. Lydon moves to grant the Certificate of Compliance. Mr. Leggett seconds.

VOTE: (4-0-0)

VIII. ANY OTHER BUSINESS/DISCUSSION

Discussion: Robert Perry – Squirrel Island Road – SolBright Solar – Violation

The applicant is not present at this time.

Discussion: Chapter 61A – A.D. Makepeace Co. – Charlotte Furnace Road

This is a property on Charlotte Furnace Road which is proposed to be commercial property and A.D. Makepeace, Co. would like to take the property out of Chapter 61A. Mr. Pichette recommends that the Conservation Commission does not recommend the purchase of the property.

MOTION: Mr. Leggett moves to not recommend the purchase the property. Ms. Lydon seconds.

VOTE: (4-0-0)

Discussion: Onset Boat Ramp

Mr. Pichette states that the Onset Boat Ramp will be reconstructed soon. The application had originally proposed a metal sheet pile cofferdam around the pier during construction and the contractor now proposes to use a sand bag cofferdam. Mr. Pichette feels this will not be detrimental but wanted the Commissions opinion.

The consensus of the Commission is that the sand bag cofferdam is not a significant change and the project can therefore proceed with that change.

Discussion: Conservation Restriction/Stewardship

Discussion: Bills

Discussion: Appointments

MOTION: Mr. Leggett moves for Mr. Pichette to write a letter recommending the appointment of Robert Lassen as an associate member of the Conservation Commission. Ms. Lydon seconds.

VOTE: (4-0-0)

IX. ADJOURNMENT

MOTION: Ms. Lydon moves to adjourn. Ms. Heard seconds.

VOTE: (4-0-0)

Date signed: _____

Attest: _____

Sandy Slavin

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____