

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: July 5, 2017

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
Joe Leggett
Sandy Slavin
Jim Smith
Elissa Heard
Elizabeth Lydon
Dave Pichette, Agent

Members Absent: Mary Taggart
Elizabeth Lydon
Mark Carboni, Associate Member
Donald Rogers, Associate Member
Robert Lassen, Associate Member

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: October 19, 2016, November 2, 2016, & May 3, 2017

MOTION: Mr. Leggett moved to accept the minutes of October 19, 2016 as previously corrected. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to accept the minutes of November 2, 2016. Ms. Heard seconded.

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

MOTION: Mr. Leggett moved to approve the minutes of May 3, 2017 as previously corrected. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

IV. PUBLIC HEARINGS

A. NOI – Dorothy Schnetzer, c/o J.C. Engineering Inc.

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

A site inspection was made at 31 Priscilla Avenue in the White Island Pond area. The project involves the demolition of an existing dwelling and the construction of a new dwelling and deck in the buffer zone to White Island Pond. An existing 20'x32' dwelling and deck are to be demolished and a new 26'x38' dwelling with attached 12'x38' deck is proposed. The existing deck is 14' from the edge of the pond. The proposed deck would be 17' from the edge of the pond at its closest point which would be the stairway coming down from the deck. The proposed dwelling will utilize the existing two-bedroom septic system. Hay bales are proposed between the work and the pond. Mr. Pichette recommended a reduction in the size of the structure, as he feels it is large for the site and with respect to the deck, to reduce new work within the 30' no activity zone. A DEP file # has been received. Mr. Pichette recommended a continuance of the hearing to reduce the new work in the 30' no activity zone.

MOTION: Ms. Slavin moved to close the public hearing for Dorothy Schnetzer. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions for Dorothy Schnetzer. Ms. Lydon seconded.

VOTE Unanimous (6-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – Wildlands Trust & Wareham Land Trust

Present before the Commission: Eric Boyer, Project Manager

A site inspection was made at 0 Nicholas Drive within various lots. This application was submitted as a joint application between the Wildlands Trust and the Wareham Land Trust for the creation of a nature trail system on existing conservation properties in the Marks Cove area. Work will be done within the buffer zone to bordering vegetated wetlands (BVW), within BVW, and within a coastal flood zone. Most of the proposed trail network will utilize existing trails. There are some sections of new trail that would have to be created to complete the proposed trail network. A 500' section of new trail would have to be created. There is also a 75' section of bog boards to be installed to create an elevated walking surface through BVW on the property. The bog boards would be supported by 4'x6' cedar posts. Existing trails would be enhanced by the use of chain saws, pole saws, and a brush hog machine. There are also proposed viewing spots to overlook the marsh area. Split rail fencing will be installed at the edge of the overlook areas to keep hikers from getting into the salt marsh. A section of the new trail proposed is closer to wetlands than what is represented on the plan. Mr. Pichette requested that this portion of trail be relocated to be at least 30' from the edge of the wetland. He recommended the issuance of a Negative Determination #2 with the relocation of the portion of trail he discussed be a condition for the project.

MOTION: Ms. Slavin moved to close the public hearing for the Wildlands Trust & Wareham Land Trust. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination with the stipulation that the trail be relocated 30 feet from the wetland for the Wildlands Trust & Wareham Land Trust. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

B. RDA – Robert Aron, c/o New England Clean Energy

Present before the Commission: Ben Fitzer, New England Clean Energy

A site inspection was made at 32 Robinwood Road. The project involves the installation of solar panels within a coastal flood zone. Ground mounted solar panels are to be installed within coastal flood zone VE. The ground mounted panels will be mounted on poles anchored by helical screw anchors. No excavation will be needed. There will be minor trench work to connect the panels to the dwelling. The site is relatively flat. There is no work proposed within the buffer zone to any other resource areas. The work is within existing yard/lawn area. Mr. Pichette recommended the issuance of a Negative Determination #2 for the project.

MOTION: Ms. Slavin moved to close the public hearing for Robert Aron. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Robert Aron. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

C. RDA – William Franklin, Green Seal Environmental, Inc.

Present before the Commission: Jose Postrado, Green Seal Environmental

The project site is at 77 Green Gate Lane. The project involves upgrading a septic system in the buffer zone to a coastal bank. The existing septic system is to be replaced with a new Title V system. The work in the buffer zone involves the installation of the septic tank and piping for the leaching field. The leaching field will not be in the buffer zone. Mr. Pichette recommended a Negative #3 Determination.

MOTION: Ms. Slavin moved to close the public hearing for William Franklin. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Slavin moved to grant a Negative #3 Determination for William Franklin. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

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

Present before the Commission: No one is present.

The applicant has requested a continuance.

MOTION: Ms. Slavin moved to continue the public hearing for Garry Buckminster/Wareham Harbormaster/Shellfish Dept. to July 19, 2017. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

E. NOI – Fort Fairfield BP, LLC/Navionics, LLC, c/o G.A.F. Engineering, Inc. – SE76-2433

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

A site inspection was made at lot 1006-Q4, Q2, and Q3 on Thacher Lane in the industrial park. The project involves the construction of a commercial building, and an additional future building pad, with associated parking, drainage, and utilities, in the buffer zone to bordering vegetated wetland (BVW). The BVW is a cranberry bog. The proposed commercial development would be up to the 50' no activity zone line. There are two points shown on the plan that encroach into the 50' no activity zone, to within 30' of the edge of the wetland. These should be reduced in size or eliminated. A proposed future building pad for a 52'x115' building, and portions of proposed detention basins are proposed partially within the buffer zone to the wetland. The Town Engineer has submitted comments on the project with some recommended changes to the proposed project relative to the stormwater drainage. A DEP file # has been received for the project.

MOTION: Ms. Slavin moved to close the public hearing for Fort Fairfield. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant an Order of Conditions with standard conditions as well as the recommended changes re: storm drainage. Ms. Slavin seconded.

VOTE: Unanimous (6-0-0)

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. John Balciunas – 63 Edgewater Dr.

This item was not addressed.

B. Peter Franklin – 75 & 77 Greengate Ln.

This item was not addressed.

C. Gwen Mitchell – 4 Sea Lavender Way

Present before the Commission: No one is present.

There are two Order of Conditions for this applicant. Mr. Pichette recommended the issuance of the Certificates of Compliance for both projects.

MOTION: Ms. Slavin moved to grant Certificates of Compliance for both Orders of Conditions re: Gwen Mitchell. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Buzzards Bay Coalition – Potential Conservation Partnership Grant – Broad Marsh, Great Neck Road

Present before the Commission: Alan Decker, Buzzards Bay Coalition

Mr. Decker discussed 47 acres at the head of Sunset Cove, known as Broad Marsh. There is a small bit of upland along Great Neck Road, but it is predominantly salt marsh. The Coalition currently has a contract to acquire the property. They are hoping to open the site to public use as well as protection of the habitat.

Mr. Decker stated there is not a Conservation Restriction on the property at this time. Waterfront access is proposed, as well as trails and a small un-paved parking lot. He is looking for the Commission to sign a letter of support for the State Conservation Partnership Grant Program as well as the Commission stating they would be willing to hold the Conservation Restriction once that is in place.

MOTION: Ms. Slavin moved to recommend that Mr. Baptiste sign the letter to support the Buzzard Bay Coalition Partnership Grant Application. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

B. Discussion: Reappointments

MOTION: Mr. Leggett moved to affirm the reappointment of Mr. Baptiste as Chair and Ms. Slavin as Vice Chair of the Conservation Commission.

VOTE: Unanimous (6-0-0)

- C. Discussion: Conservation Restriction/Stewardship
- D. Discussion: Bills
- E. Discussion: Appointments

X. ADJOURNMENT

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

VOTE: Unanimous (6-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____