

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: July 6, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 7:05 P.M.

II. ROLL CALL

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

Members Absent: Mark Carboni
Elissa Heard

III. PRELIMINARY BUSINESS

IV. PUBLIC HEARINGS

A. RDA – Susan Whitehead

Present before the Commission: Susan Whitehead

The public hearing notice was read into the record.

The applicant is requesting to cut several trees, remove underbrush and bittersweet for vista pruning within a coastal flood zone, within a coastal bank and the buffer zone to a coastal bank at 43 & 45 Bourne Point Road. The plan that was submitted did not clearly indicate where the work was proposed on the property, an improvement on that was requested. A plan was given out, but still did not clearly show the underbrush to be removed but did show more clearly the trees to be removed. After reviewing the area to be cleared of bittersweet, the Commission suggested that the hearing be continued so the applicant may notify an abutter in order to complete the clearing of all of the property at once instead of a piece at a time. The Commission also requested the specific trees to be removed be marked.

MOTION: Ms. Slavin moved to continue the public hearing for Susan Whitehead until August 3, 2016. Ms. Lydon seconded.

VOTE: (5-0-0)

B. RDA – William Loughman, c/o Charon Associates, Inc.

Present before the Commission: Representative, Charon Associates, Inc.

The public hearing notice was read into the record.

The applicant is requesting to upgrade a septic system in the buffer zone to a Bordering Vegetated Wetland (BVW) at 146 County Road. The existing septic is to be replaced with a new Title V system at this new location. The new septic tank and some grading would be the closest work to the wetland, approximately 80' away. The new leech field would be outside of the buffer to the BVW. Silt fence would be installed between the work area and the BVW. Mr. Pichette recommends the approval of the project with a negative 3 determination.

MOTION: Ms. Slavin moved to close the public hearing for William Loughman. Mr. Smith seconded.

VOTE: (5-0-0)

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

VOTE: (5-0-0)

C. RDA – Keith Aarsheim, c/o Farland Corporation

Present before the Commission: Steven Carvahlo, Farland Corporation

The public hearing notice was read into the record.

This is an after the fact filing that had begun at the site within a flood zone at 1 Boathouse Drive. Tree clearing and stump removal has taken place on the property, the applicant would like to add an addition to the garage which is 12' x 21', extend the deck, construct a stone retaining wall, loam and seed the cleared area, and grade the property. There is no work proposed in the buffer zone to any other resource areas; strictly work within the coastal flood zone. Mr. Pichette recommended approval with a Negative Determination, with low nitrogen fertilizer.

MOTION: Ms. Slavin moved to close the public hearing for Keith Aarsheim. Mr. Smith seconded.

VOTE: (5-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination with the condition that low nitrogen fertilizer be utilized and a \$100.00 fine be issued for starting the project without approval for Keith Aarsheim. Ms. Lydon seconded.

VOTE: (5-0-0)

D. NOI – Andrew Streit/SolBright Renewable Energy, LLC, c/o Goldsmith, Prest, & Ringwall, Inc.

Present before the Commission: K. Goldsmith
Robert Perry

The public hearing notice was read into the record.

The applicant is requesting to constructing a solar field with associated structures in the buffer zone to wetlands and within isolated wetlands at the site at 0 Squirrel Island Road. The project involves the construction of a 1.35 megawatt solar electrical generating facility. There will be approximately 4,230 modules or solar panels proposed at the site. Part of the site has been previously altered as a gravel pit area and has varying topography. The project contains more than 4.7 acres that is currently wooded, which would have to be cut as part of the project. The site also has old equipment situated within. Mr. Pichette recommended a lot of this material be removed from the site. It is proposed to grade the entire area, install drainage and gravel roads. Mr. Pichette has scheduled a site visit with the wetland consultant to address changes required to the wetland boundaries. The project is being reviewed by the Towns engineer, that report should wait to see the results of the review which may lead to other recommendations or changes to the project. A DEP File # has not yet been received. Mr. Pichette recommended the continuance of this hearing until July 20, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for SolBright Renewable Energy, LLC to July 20, 2016. Mr. Smith seconded.

VOTE: (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. ANRAD– Kevin Oliveira, c/o G.A.F. Engineering, Inc. – SE76-2386

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

The applicant is requesting an approval of the wetland delineation at 6 Recovery Road. The wetland boundary is flagged with numbers 1-12. There is a revised plan showing changes made to the wetland boundary.

MOTION: Ms. Slavin moved to close the public hearing for Kevin Oliveira. Ms. Lydon seconded.

VOTE: (5-0-0)

MOTION: Ms. Slavin moved to approve the wetland delineation for Kevin Oliveira. Ms. Lydon seconded.

VOTE: (5-0-0)

B. RDA – Onset Mobile Home Park

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

The applicant has requested a continuance until the next public hearing.

MOTION: Ms. Slavin moved to continue the public hearing for Onset Mobile Home Park to July 20, 2016. Ms. Lydon seconded.

VOTE: (5-0-0)

C. NOI – Richard & Debra Beaulieu, c/o G.A.F. Engineering, Inc.

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

The applicant has requested a continuance until the next public hearing.

MOTION: MS. Slavin moved to continue the public hearing for Richard & Debra Beaulieu to July 20, 2016. Mr. Smith seconded.

VOTE: (5-0-0)

D. NOI – Stephen Pratt – SE76-2390

Present before the Commission: Stephen Pratt

The applicant is requesting to demolish an existing dwelling and construct a new dwelling in the buffer zone to bordering vegetated wetland at 80 Papermill Road. The existing 18' x 20' dwelling is to be removed and a new 32' x 38' dwelling is to be constructed in the same general location. The proposed dwelling would be approximately 70' from the edge of the wetland. The limit of work would be approximately 50' from the edge of the wetland. A silt fence is proposed between the work and the resource area. Mr. Pichette requested both hay bales and silt fence be used. There is no grade change proposed. A DEP File # has been received. Mr. Pichette recommended the approval of the project with the issuance of the order of conditions with the standard conditions and the addition of the hay bales for the erosion control.

MOTION: Ms. Slavin moved to close the public hearing for Stephen Pratt. Mr. Smith seconded.

VOTE: (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with the added condition that both hay bales and silt fence be used for Stephen Pratt. Ms. Lydon seconded.

VOTE: (5-0-0)

E. NOI – James Wood, c/o G.A.F. Engineering, Inc. – SE76-2392

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

The applicant is requesting to construct a pier, ramp and float system out into Butler's Cove in land under the ocean, within land containing shellfish, on a coastal beach, within a salt marsh and within a coastal flood zone at 24 Pine Tree Drive. A 149' pier, ramp and float is proposed. The project would require the installation of 18 12" pilings. There would be just over 24" of water at low tide in the location of the float. The pilings would be installed using a floating barge. Work would have to be done at the higher tidal ranges as the water is shallow at low tide. Comments have been received from the Division of Marine Fisheries. They have commented that they would like to see a 30" separation between the float and the bottom for the project. A DEP File # has been received. The hearing had previously been continued because a plan revision had to be made. Mr. Pichette recommended the approval of the project with the standard conditions for pier approval.

MOTION: Ms. Slavin moved to close the public hearing for James Wood. Ms. Lydon seconded.

VOTE: (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions for pier construction and that work be done at higher tides and work not be done from land for James Wood. Ms. Lydon seconded.

VOTE: (5-0-0)

F. Keith Amado, c/o G.A.F. Engineering, Inc. – SE76-2393

Present before the Commission: No one was present at this time

The applicant has requested a continuance to August 3, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Keith Amado to August 3, 2016. Ms. Lydon seconded.

VOTE: (5-0-0)

A. EXTENSION REQUESTS

There were no extension requests at this time.

B. ENFORCEMENT ORDERS

There were no enforcement orders at this time.

C. CERTIFICATES OF COMPLIANCE

A. Alfred Edmunds – 27 15th Street – SE76-1199

The COC is for the reconstruction of a house. The earlier application was an approval that they did not act on and needs to be approved as an invalid COC.

MOTION: Ms. Slavin moved to consider a Certificate of Compliance for Alfred Edmunds as an invalid. Ms. Lydon seconded.

VOTE: (5-0-0)

B. Alfred Edmunds – 27 15th Street – SE76-1728

The applicant had constructed the house under this COC and Mr. Pichette recommends the approval.

MOTION: Ms. Slavin moved to grant a Certificate of Compliance for Alfred Edmunds. Ms. Lydon seconded.

VOTE: (5-0-0)

C. BRT Wickets, LLC – SE76-1782

MOTION: Ms. Slavin moved to consider a Certificate of Compliance for BRT Wickets as an invalid permit. Ms. Lydon seconded.

VOTE: (5-0-0)

D. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Alan Decker – Buzzards Bay Coalition

Present before the Commission: Alan Decker

Mr. Decker spoke about a proposed Conservation Restriction for Wicketts Island. The Buzzards Bay Coalition now owns the island and would like it publicly accessible and safe. Buzzards Bay Coalition would like to fix the pier and walkway that goes up to the island. They would also like to run educational programs on the property. Buzzards Bay Coalition is proposing that the Wareham Conservation Commission be the holder of the Conservation Restriction as a partner with Buzzards Bay Coalition, allowing the Coalition control of certain aspects, as mentioned above. Mr. Decker is hoping the Commission will vote to approve the Conservation Restriction.

MOTION: Ms. Slavin moved the Commission approve the Conservation Restriction for Wickets Island with the proposed changes that were discussed and Mr. Pichette will hold the signature page until the corrections on the document have been made. Ms. Lydon seconded.

VOTE: (5-0-0)

B. Discussion: Volunteers on Conservation Land

C. Discussion: Conservation Restriction/Stewardship

D. Discussion: Bills

E. Discussion: Appointments

E. ADJOURNMENT

MOTION: Ms. Slavin moved to adjourn the meeting at 8:54 P.M. Ms. Lydon seconded.

VOTE: (5-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____