

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: August 1, 2018

I. CALL MEETING TO ORDER

The meeting was called to order at 7:00 P.M.

II. ROLL CALL

Members Present: Sandy Slavin, Chair
Joe Leggett
Mary Taggart
Elissa Heard
William Smith
Robert Lassen
David Pichette, Agent

Members Absent: Ken Baptiste
Mark Carboni, Associate Member

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: May 2, 2018

The minutes will be handled later in the meeting.

NOTE: The meeting proceeded w/ item V. Continued Public Hearings.

A. RDA – Frank O’Brien

The applicant has requested a continuance to August 15, 2018.

MOTION: Mr. Leggett moved to continue the public hearing for Frank O’Brien to August 15, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

B. NOI – John Vyhnanek, c/o G.A.F. Engineering, Inc. – SE76-2487

The applicant has requested a continuance to August 15, 2018.

MOTION: Mr. Leggett moved to continue the public hearing for John Vynanek to August 15, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

NOTE: The meeting proceeded w/ item VIII. Certificate of Compliance.

A. Nona Bryant – 179 Sandwich Road

Mr. Pichette stated this project was for a septic upgrade. The project has been completed according to the OOC. He recommended the issuance of the COC.

MOTION: Mr. Leggett moved to grant a Certificate of Compliance to Nona Bryant – 179 Sandwich Road. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

NOTE: The meeting proceeded w/ item III. Preliminary Business.

A. Approve meeting minutes: May 2, 2018.

MOTION: Mr. Leggett moved to approve the meeting minutes of May 2, 2018. Mr. Smith seconded.

VOTE: Unanimous (6-0-0)

IV. PUBLIC HEARINGS

A. RDA – Robin Mitchell, c/o Innovation Construction Co., Inc.

The public hearing notice was read into the record.

Present before the ConCom: Keith Dimetric, Innovation Construction Co., Inc.
Robin & Carl Mitchell

Mr. Pichette described the project. The property is located at 40 Arnold St. The project involves the construction of a deck in the buffer zone to a coastal bank, coastal beach, & w/in riverfront area of the Weweantic River. A 6x22 ft. deck is proposed to replace the existing 5x5 landing & this would be 65 ft. from the coastal beach along the Weweantic River. Three sono tube footings will be installed to support the deck. The deck will be between the house & the street. All work is to be done by hand w/ no grade changes proposed. He recommended the approval of the project w/ a Negative Determination #2.

Mr. Dimetric submitted the green abutter notifications.

MOTION: Mr. Leggett moved to close the public hearing for Robin Mitchell. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant a Negative Determination #2 for Robin Mitchell. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

B. RDA – Karen Coffey

Present before the ConCom: Karen Coffey
Ed Coffey

The public hearing notice was read into the record.

Mr. Pichette described the project. The property is located at 2 Oakhill Road. The project involves the placement of fill w/in a coastal flood zone. The applicant is proposing to remove a 5” layer of soil from the existing dirt driveway & replace it w/ crushed stone. The applicant also proposes to place 15 yards of fill in a part of an existing depression in the yard to support an existing retaining wall. This is w/in flood zone AE14. The work is not in the buffer zone to any other resource areas. He recommends approval of the work w/ a Negative Determination #2.

Mr. & Mrs. Coffey described the work they want to do to stave off erosion.

Present before the ConCom: Jack Nolan, Neighbor

Mr. Nolan stated there are more vehicles at the property now that the Coffey’s have moved in. He understands they want more area to park their vehicles. The area gets muddy. He feels it is a reasonable project & is in support of it.

MOTION: Mr. Leggett moved to close the public hearing for Karen Coffey. Mr. Smith seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant a Negative Determination #2 for Karen Coffey. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

C. Amended OOC – Charles A. Grace, c/o Outback Engineering, Inc.

The public hearing notice was read into the record.

The applicant has requested a continuance to August 15, 2018.

MOTION: Mr. Leggett moved to continue the public hearing to August 15, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

D. Amended OOC – Clive Olson, c/o Lockwood Architects

The public hearing notice was read into the record.

Present before the ConCom: Bill Lockwood, Lockwood Architects
Clive Olson

Mr. Pichette described the project. The property is located at 35 Maple St. The project involves amending an OOC to include a revised plan for the project. The approved project involved tearing down an existing dwelling & garage & constructing a new dwelling, garage, & in-ground pool in the buffer zone to a coastal bank & w/in a coastal flood zone. The site is w/in flood zone AE, elevation 14. The approved project is currently under construction. It was determined that there was an error in the grades shown on the original site plan. The result is that proposed grade changes need to be made to the site plan to accommodate the proposed construction. Also, there are two sections of retaining walls that need to be constructed/reconstructed which are shown on the revised plan as well. The locations of the proposed structures are the same as originally permitted. The proposed grade changes & the reconstructed sections of retaining walls are not significant relative to the overall project. He recommended the issuance of the amended OOC for the project w/ the same conditions as the original order.

MOTION: Mr. Leggett moved to close the public hearing for Clive Olson. Mr. Smith seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant the Amended OOC w/ the same conditions as the original OOC for Clive Olson. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

E. NOI – Edward Ryan, c/o JC Engineering, Inc.

The public hearing notice was read into the record.

The applicant has requested a continuance to August 15, 2018.

MOTION: Ms. Taggart moved to continue the public hearing for Edward Ryan to August 15, 2018. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

F. NOI – Buzzards Bay Coalition, Inc., 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.
Mark Rasmussen, President of Buzzards Bay Coalition

Mr. Madden submitted the green abutter notifications.

Mr. Pichette described the project. The property is located at the Onset Bath House in Onset. The project involves the demolition of the existing Onset Bath House structure & the construction of a new Onset Bay Center building in the same general area as the existing structure which is along a coastal bank, a coastal beach, & w/in a coastal flood zone, which is a velocity zone VE, elevation 22. The existing Onset Bath House building which is 26x174, is to be demolished & removed from the site. Demolition material shall be loaded into dumpsters & hauled off for disposal. Construction vehicles & equipment for the project shall access the site through the Town Pier parking lot. An excavator shall access the site from the corner of the Town Pier parking lot over the existing concrete walkway area. The proposed building will be 30x180 in the same general area. A portion of the proposed building will occupy 400 sq. ft. of currently un-altered coastal bank area. The existing concrete wall along Onset Beach shall remain in place as is. The concrete slab behind the existing retaining wall will be cut into where needed to install the new footings & foundation piers for the new structure. The wall along the back or landward side of the existing structure will remain in place & be used as part of the foundation for the existing structure. The new structure will have two levels w/ the lower level to be used for storage & the second level to be used for office space & for educational purposes. The project is w/in flood zone VE, elevation 22. New water & sewer lines will be installed for the new building. Stormwater structures are proposed to handle roof runoff from the new building w/ overflow to be tied into the existing catch basin. It is unclear where this catch basin drains to. This should be determined. Also proposed is to replant the coastal bank in the area of the building w/ native vegetation. This will involve the removal of the existing vegetation & replanting the bank according to the submitted planting scheme. Erosion control blankets will be installed on the slope to stabilize the disturbed soils. Haybales should be installed along the base of the slope at the edge of the retaining wall also. He asked if a response has been issued from the Building Inspector re: flood zone compliance. A DEP file # has not been received. He recommended a continuance of the hearing.

Mr. Madden proceeded to give an overview/presentation of the project w/ design plans & more specific project details. A question & answer session ensued w/ the ConCom members & Mr. Madden on topics such as the green roof, planting scheme, etc.

Brief discussion ensued re: gaining a waiver from the flood zone regulations for this project & the 2,700 plantings.

Present before the ConCom: Lisa Morales

Ms. Morales asked re: watering of the 2,700 plants & who will do this. Mr. Rasmussen stated the initial watering, until the plants are established, will be done by the landscaper. After that, the watering responsibility will be the Buzzards Bay Coalition (BBC). Mr. Madden stated the water source will be from the local water supply.

Ms. Morales stated she is not in favor of doing away w/ the root systems of the non-invasive plants already there. Ms. Slavin stated in order to do away w/ the large amount of invasive plants, some non-invasive plants may need to be removed as well.

Ms. Morales asked if there is a waiver being requested for the 50 ft. no activity zone regulation. Mr. Pichette stated this was requested. He explained in the Bylaw, there is an exemption for a waiver of the 50 ft. no activity zone for public enhancement & things of that nature. This is something the Commission can grant. Ms. Morales stated she heard no discussion of this matter this evening & she would be against a waiver of the 50 ft. no activity zone.

Ms. Morales asked that there be no permanent ramp of any size on the beach. She asked that it be a removable ramp that can be stored in the winter season. Mr. Madden stated this could be looked into. Discussion ensued re: the ramp whether fixed or removable.

Ms. Morales stated there has been no discussion about the walkway ramp that will be installed on top of the bluff & what the installation will entail, including excavation. Mr. Madden stated there is no proposed walkway on the bluff. Stairs will be brought up to where the walkway is presently. Concrete stairs will be brought up w/ pavers on the top. No holes/excavation will be done. Mr. Pichette stated there will be no new landing area. The stairs will meet up w/ the existing walkway.

Present before the Commission: Frank Jolie

Mr. Jolie asked what the height of the bathhouse currently. Mr. Madden stated the first floor elevation is 5.5. He doesn't have the current height figure. Mr. Jolie asked what the finished height will be. Mr. Madden stated it will be elevation 28 for the second floor. Mr. Jolie discussed the view from up top on the bluff. He feels the project will take away the view that is there currently. Mr. Pichette stated if the flood waiver is not given, then the elevation would be higher.

MOTION: Mr. Leggett moved to continue the public hearing for Buzzards Bay Coalition, Inc. to August 15, 2018. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

V. CONTINUED PUBLIC HEARINGS

C. RDA – Frank O'Brien (DONE)

D. NOI – John Vyhnanek, c/o G.A.F. Engineering, Inc. – SE76-2487 (DONE)

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. Nona Bryant – 179 Sandwich Road (DONE)

IX. ANY OTHER BUSINESS/DISCUSSION

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

X. ADJOURNMENT

MOTION: Mr. Leggett moved to adjourn the meeting at 8:17 P.M. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

Date signed: _____

Attest: _____

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____