

MEETING MINUTES OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: August 16, 2017

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Sandy Slavin, Chair Pro Tem
Joe Leggett
Elissa Heard
Jim Smith
Bob Lassen, Associate Member
David Pichette, Agent

Members Absent: Mark Carboni Ken Baptiste
Elizabeth Lydon Donald Rogers, Associate Member
Mary Taggart

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: June 21, 2017 & July 5, 2017

MOTION: Mr. Leggett moved to approve the meeting minutes of June 21, 2017. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Leggett moved to approve the meeting minutes of July 5, 2017. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

NOTE: The meeting proceeded w/ item VIII. Certificate of Compliance – A. Renewable Generation (NextSun), Protect Energy Solutions – Beaver Creek Lane.

Mr. Pichette stated this was a solar project at Beaver Creek Lane. There are several items that are different than what was approved on the plan re: stabilization of the site. Stone was put in areas that called for loam & seed. The Town engineer will be looking at this to see if it is appropriate. He encouraged the Commission members to go look at the site. He recommended holding off on voting this matter to work this issue out. The project is however, completed w/ the issues that need to be addressed.

A. NOTE: The meeting proceeded w/ item VII. Enforcement Order – A. Joseph Iacifano – 411 Main Street.

Mr. Pichette stated there is an issue at this site which has been dealt w/ in the past w/ the same owner. Significant trash & debris is accumulating behind the plaza & not being cleaned up. There is a wetland behind the plaza that continues to get polluted by this debris. He issued an Enforcement Order along w/ a fine to the owner. He asked the Commission to ratify the new Enforcement Order.

MOTION: Mr. Leggett moved to ratify the Enforcement Order for Joseph Iacifano – 411 Main Street. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

IV. PUBLIC HEARINGS

A. RDA – Frank Hennessey

The public hearing notice was read into the record.

Present before the Commission: Frank Hennessey
Anthony Ianacone, Jr.
Anthony Ianacone, Sr.

A site inspection was made at 18 Eagle Way in Onset. The project involves the reconstruction of a deck in the buffer zone to a coastal beach & w/in a coastal flood zone. This is an after the fact filing for work that has already commenced in the terms of removal of the old deck & the installation of the sono tube footings for the new deck which are already in place. The deck is right up to the edge of an existing concrete block retaining wall which abuts the beach & is w/in a coastal flood zone. The work remaining to be done is to construct the deck on the installed footings. All work is to be done by hand. He recommended the issuance of a Negative Determination #2 for the project.

Mr. Ianacone, Sr. discussed the need for a new deck. The new deck will be in the exact same footprint as the existing deck. He stated new sono tubes have already been put in around three weeks ago.

Ms. Slavin expressed concern re: work being done w/out prior approval. She recommended a fine be issued. Mr. Ianacone, Sr. stated Town land abuts the property in question & he would be happy to replant any vegetation abutting the Town land. Mr. Pichette is unaware of any area that needs to be re-vegetated.

MOTION: Mr. Leggett moved to close the public hearing for Frank Hennessey. Ms. Heard seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Leggett moved to grant a Negative #2 Determination for Frank Hennessey as well as issue a \$100.00 fine for an after-the-fact filing. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

B. RDA – MMDDJSAK, LLC, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission: Bob Rogers, G.A.F. Engineering, Inc.

Mr. Pichette stated a site inspection was made at Lots 1005 & 1007) Patterson Brook Road. The application has been submitted by the applicant as part of the Planning Board requirements to get a determination on the project site from the Commission. The proposed project is for the construction of two (2) commercial buildings at this site. A 120x140 building & 120x360 building w/ associated driveways, grading & stormwater systems are proposed. In review of the proposed project, it was found that the project is not w/in any wetland resource areas, or w/in the buffer zone to any wetland resource areas & therefore, is not w/in the Commission's jurisdiction. He recommended the issuance of a Negative Determination #1 & #6.

MOTION: Mr. Leggett moved to close the public hearing for MMDDJSAK, LLC. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Leggett moved to grant a Negative #1 & #6 Determination for MMDDJSAK, LLC. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

C. RDA – William L. Womack, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission: Bob Rogers, G.A.F. Engineering, Inc.

Ms. Slavin stated the applicant has asked for a continuance to September 6, 2017.

MOTION: Mr. Leggett moved to continue the public hearing for William L. Womack to September 6, 2017. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

D. NOI – Buzzards Bay Coalition

The public hearing notice was read into the record.

Present before the Commission: Mark Rasmussen, Buzzards Bay Coalition
Sarah Quintal, Restoration Ecologist, Buzzards Bay Coalition
Jeremy Packard, CLE Engineering

Mr. Pichette stated a site inspection was made at Wickets Island. The project involves access improvements to Wickets Island to make the island accessible and safe for the general public. These improvements include the reconstruction & expansion of the existing access stairway on the coastal bank, repairs to the existing stone wharf, the installation of a ramp & float at the end of the stone wharf, crushing & filling existing cisterns, & filling a foundation hole, removing debris from the island, controlling nuisance vegetation, creating a 10 ft. wide access path to get equipment onto the island, & clearing an area 10,000 sq. ft. in size in the center of the island for passive recreational activities. The project proposes improvement to the existing stone wharf. The stones at the end of the existing stone wharf are to be repositioned, leveled, & the center of the island for passive recreational activities. The project proposes improvements to the existing stone wharf. The stones at the end of the existing stone wharf are to be repositioned, leveled, & the center area filled in & leveled. A 33 ft. aluminum ramp & 8x25 ft. float would be installed at the end of the wharf. Six 12 ft. pilings would need to be installed for the ramp & float. There would be 3.5 ft. of water at the float at low tide. He recommended float stops on the float piles.

The existing staircase on the coastal bank is proposed to be removed & replaced. The proposed staircase location is in a slightly different location than the current stairs & the proposed staircase is 6 ft. wide instead of the existing 4 ft. This would result in additional clearing to be done on a steep coastal bank. The stairway would be supported by 12" diameter pilings. Mr. Pichette questioned what methodology is proposed to install the stairway piles & he questioned how the bank be stabilized. He recommended minimizing additional clearing on the coastal bank by utilizing the existing cleared area & minimizing the stairway width.

The proposed area to be cleared for passive recreation on the top of the island is close to the top of the coastal bank. This area should be reconfigured to be outside the 30 ft. no activity zone to the coastal bank. Existing hazards are to be filled in. 115 yds. of fill would be brought to the island to accomplish this task.

It is proposed to control invasive plants w/ herbicide. There should be more information provided re: the methodology & herbicides to be used.

In terms of the 10 ft. wide access path to get equipment onto the island, there needs to be more detail about the specific location of the access point, existing & proposed grades, & how those will be accomplished & how the disturbed slope will be stabilized. Mr. Pichette questioned what type of equipment is proposed to be brought onto the island & how it will be transported there. He questioned how fill material will be brought in & transported.

A DEP file number has been received for the project. Comments from the MA DMF have been received w/ no negative comments. Mr. Pichette recommended a continuance of the hearing for the addition information described & potential plan changes.

Mr. Rasmussen discussed the project packet submitted to the Commission. He spoke re: making the island safe for public access.

Ms. Quintal discussed a plan version that has revisions included after Thursday's site visit. She spoke re: a detailed letter that addresses questions that arose during this visit. She spoke in depth re: the plan & revisions to the plan.

Brief discussion ensued re: the existing foundation, fill to be brought in, timelines, & if utilities will be place on the island.

MOTION: Mr. Leggett moved to continue the public hearing for the Buzzards Bay Coalition to September 20, 2017. Ms. Heard seconded.

VOTE: Unanimous (4-0-0)

E. ANRAD – Jonathan Mancini, BWC Harlow Brook, LLC, c/o Field Engineering, Inc. – SE76-2439

The public hearing notice was read into the record.

Present before the Commission: Lexi Barlow, BlueWave
Richie Altone, Field Engineering

Mr. Altone submitted the abutter mail receipts.

Mr. Pichette explained a site inspection was made at Lots 1002A & 1003 on Map 115. The application is for the approval of wetland delineation. An isolated wetland marked by wetland flags, BLW1 – BLW19 was reviewed w/ no changes made. There was, however, another wetland area that was discovered at the site that had not been identified. This area needs to be flagged and put on the site plan. He recommended a continuance of this hearing for a revised plan.

Mr. Antone stated the additional wetland has now been flagged.

MOTION: Mr. Leggett moved to continue the public hearing for Jonathan Mancini, BWC Harlow Brook, LLC to September 6, 2017. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

F. ANRAD – Jonathan Mancini, BWC Wareham River, LLC, c/o Field Engineering, Inc.- SE76-2440

The public hearing notice was read into the record.

Present before the Commission: Lexi Barlow, BlueWave
Richie Altone, Field Engineering

Mr. Pichette explained a site inspection was made at Lot 1002B on Map 115 & Lots 1014C & 1014B on Map 113. The application is for the approval of a wetland delineation. The wetland is bordering vegetated wetland along existing cranberry reservoirs and is marked by wetland flags BVW 2-26 - BVW 2-60, BVW 3-1 – BVW 3-66, & BVW 4-1 – BVW 4-8. During the review, it was found that certain flags were missing in the field, 2-55 – 2-60 & 3-2 – 3-7. These flags would need to be replaced in the field for review or eliminated from the approval. There was also a flag added to the delineation; Flab 3-42A, between 42 & 43- 10' towards the inland. If all wetland flags are to be approved, then he recommended a continuance of the hearing for the relocation of flags. If certain flags are to be excluded from the approval, then he recommended an approval based on the flags that were present & reviewed.

Mr. Altone stated he would rather exclude some of the flags which Mr. Pichette identified. He stated those flags not represented on the plan should not be included in the approval. Based on this, Mr. Pichette recommended approval of the delineations specified on the revised plan submitted this evening.

MOTION: Mr. Leggett moved to close the public hearing for Jonathan Mancini, BWC Wareham River. Ms. Heard seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Leggett moved to approve the ANRAD delineation for Jonathan Mancini, BWC Wareham River as shown on the revised plan. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

G. ANRAD – Jonathan Mancini, BWC Pocasset River, LLC, c/o Field Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission: Lexi Barlow, BlueWave
Richie Altone, Field Engineering

Mr. Altone submitted the green abutter notification cards.

Mr. Pichette explained a site inspection was made at Lot 1004 on Map 115. The application is for the approval of a wetland delineation. An isolated wetland marked by wetland flags BLW1-BLW24 was reviewed with no changes made. He recommended the approval of the wetland delineation as presented.

MOTION: Mr. Leggett moved to close the public hearing for Jonathan Mancini, BWC Pocasset River. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Leggett moved to approve the ANRAD delineation for Jonathan Mancini, BWC Pocasset River as shown on the plan submitted. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

V. CONTINUED PUBLIC HEARINGS

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

B. Joseph Iacifano – 411 Main Street (DONE)

VIII. CERTIFICATES OF COMPLIANCE

A. Renewable Generation (NextSun), Protect Energy Solutions – Beaver Creek Lane (DONE)

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Open Space Plan

Mr. Pichette spoke re: the updating of the Town's Open Space Plan. The Open Space Committee is requesting the Commission provide a letter of support for the Open Space Plan. He has drafted a letter if the Commission decides to send a letter. He read said letter into the record. Brief discussion ensued re: the age of the Open Space Plan drafting.

MOTION: Mr. Leggett moved the Commission support the Open Space Plan & to authorize the Chair to sign said support letter. Ms. Heard seconded.

**VOTE: (3-0-1)
Mr. Smith abstained**

B. Discussion: Reappointments

C. Discussion: Conservation Restriction/Stewardship

D. Discussion: Bills

E. Discussion: Appointments

X. ADJOURNMENT

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

VOTE: Unanimous (4-0-0)

Date signed: _____

Attest: _____

Sandy Slavin, Chair Pro Tem

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____