**MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION**

**Date of Meeting: September 16, 2015**

1. **CALL MEETING TO ORDER**

The meeting was called to order at 7:09 P.M.

1. **ROLL CALL**

Members Present: Ken Baptiste, Chairman

Sandy Slavin

Joe Leggett

Jim Smith

Elizabeth Lydon

Elissa Heard, Associate Member

David Pichette, Agent

Members Absent: Donald Rogers

Mark Carboni

1. **PRELIMINARY BUSINESS**
2. **PUBLIC HEARINGS**
3. **RDA – Borrego Solar Systems, Inc., c/o Oxbow Associates**

Present before the Commission: D. Allbreck

F. Unger

The public hearing notice was read into the record.

Mr. Pichette explained a site inspection was made at 15 Sand Pond Road. The project involves the installation of underground utilities in the buffer zone to Sand Pond and the Bordering Vegetated Wetland (BVW) along Sand Pond. Approximately 2,000 linear feet of underground electrical line is proposed to be installed along the edge of the Onset Water Department property to the grid. The line is proposed to be placed along the shoulder of the existing gravel access road. No clearing will be necessary to install the line. Trenching work will be needed to install the conduit. Erosion control will be placed between the work and the resource area. The wetland line was reviewed and Mr. Pichette believes it to be partially inaccurate. He recommended the work be approved due to the fact that it is limited to the shoulder of the access road, but also recommends the wetland boundary not be approved as part of this project. He stated the work is closest to the BVW at the pump house at the end of the site, 20’ from the BVW. He recommended a Negative Determination #3 for the work and a Positive Determination #2B on the wetland line.

**MOTION: Ms. Slavin moved to close the public hearing for Borrego Solar Systems, Inc. Ms. Lydon seconded.**

**VOTE: Unanimous (5-0-0)**

**MOTION: Ms. Slavin moved to grant a Negative Determination #3 & a Positive Determination #2 to include permanent erosion control for Borrego Solar Systems, Inc. Ms. Lydon seconded.**

**VOTE: Unanimous (5-0-0)**

1. **NOI – Lindsay Leroy, c/o G.A.F. Engineering, Inc. – SE76-2352**

Present before the Commission: No-one was present before the Commission

The public hearing notice was read into the record.

Mr. Pichette stated a site inspection was made at 780 County Road. He stated the project involves the construction of a horse barn and paddock area in the buffer zone to the Bordering Vegetated Wetland (BVW). A 24x36’ barn is proposed ~50’ from the edge of the wetland. The wetland line was checked and some changes to the line may be needed. A gravel access driveway is proposed to the barn. Minor grading and stone infiltration trenches to handle roof runoff are proposed around the barn. A 60x100’ paddock area surrounded by a wood rail fence is proposed adjacent to the barn as shown on the plan. Silt fence is proposed between the work and the resource area as shown on the plan. A DEP file # has been received. He recommended a continuance to further review the wetland boundary.

**MOTION: Ms. Slavin moved to continue the public hearing for Lindsay Leroy to October 7, 2015. Mr. Smith seconded.**

**VOTE: Unanimous (5-0-0)**

1. **CONTINUED PUBLIC HEARINGS**
2. **NOI – Leah Abbott, c/o JC Engineering, Inc. – SE76-2350**

Present before the Commission: Brad Bertollo, JC Engineering

M. Ferragamo

Mr. Pichette stated a site inspection was made at 63 Oak Street. He stated the project involves the demolition of an existing dwelling and the reconstruction of a new dwelling on a coastal bank, within the buffer zone of a coastal beach, and within land subject to coastal storm flowage. An existing 18x38’ dwelling 26’ from the coastal beach is to be removed and replaced with a new 28x54’ dwelling w/ attached 18x22’ garage. Also proposed is to elevate a second existing dwelling on the property which is up near the road. The smaller 18x22’ dwelling is to be lifted and moved a few feet to get it entirely onto the property. This would require new footings and walls to support this structure. Retaining walls are also proposed to raise the grade of the parking area/driveway. The parking area would be raised 3’. Drywells are proposed to handle roof runoff and runoff from the proposed driveway. This is an aggressive project for the site which is only 7,117 sq. feet.

**MOTION: Ms. Slavin moved to close the public hearing for Leah Abbott. Mr. Smith seconded.**

**VOTE: (5-0-0)**

**MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions & the added condition that no nitrogen be used on the grass area for Leah Abbott. Mr. Smith seconded.**

**VOTE: (5-0-0)**

1. **NOI – John Bennett, c/o G.A.F. Engineering, Inc. – SE76-2351**

Present before the Commission:

Mr. Pichette stated a site inspection was made at 22 Algelo Ave. The project involves the construction of a pier into the Broad Marsh River, land under the ocean, within a coastal flood zone and within land containing shellfish. A 151’ pier, ramp, and float system are proposed off of the beach lot which is adjacent to the house lot. The pier would traverse a section of salt marsh area ~ 30’ wide primarily using a section that has been an access point for dinghies and small boats. Mr. Pichette has asked that a buoy be placed out into the water at the seaward end of the proposed pier to show how far out the structure will go. Also proposed is to install underground utilities out to the dock for water and electricity. This would have to run through coastal beach and coastal dune and within a coastal flood zone. He recommended against the installation of underground utilities within these resource areas. He questioned if an eel grass study has been done. There are several existing moorings that would have to be relocated to accommodate the proposed pier layout. Comments are needed from the Harbormasters Office and from the Division of Marine Fisheries (DMF). A DEP file # has been received. He recommended a continuance for comments from DMF and the Harbormaster.

**MOTION: Ms. Slavin moved to continue the public hearing for John Bennett. Mr. Smith seconded.**

**VOTE: (5-0-0)**

1. **EXTENSION REQUESTS**
2. **ENFORCEMENT ORDERS**
3. **CERTIFICATES OF COMPLIANCE**
4. **Maplewood Builders – 6 Brittany Drive**

**MOTION: A motion was made & seconded to hold the approval of a Certificate of Compliance for Maplewood Builders – 6 Brittany Drive until the hearing of October 7, 2015 is held & as long as re-planting has been established.**

**VOTE: (5-0-0)**

1. **Bill Bachant – 13 Parkwood Drive**

**MOTION: A motion was made & seconded to hold the approval of a Certificate of Compliance for Bill Bachant – 13 Parkwood Drive until the hearing of October 7, 2015 is held.**

**VOTE: (5-0-0)**

1. **ANY OTHER BUSINESS/DISCUSSION**
2. **Discussion: Municipal Maintenance – Marine Avenue**

The project had been approved a few weeks ago and requires signatures. The Commission members signed the document.

1. **Discussion: Draft Town Meeting article – Wetland Bylaw**

Brief discussion ensued re: a section for “30’-50’ Buffer” for review by all is under discussion.

1. **Discussion: Easement – MA DOT – Papermill Road bridge construction**

Part of the bridge abutment will be on Town conservation property. The Commission is encouraged to approve the temporary easement.

**MOTION: Ms. Slavin moved to grant a temporary easement for the Papermill Road bridge construction. Ms. Lydon seconded.**

**VOTE: (5-0-0)**

1. **Discussion: Westgate Conservation Area open house**

It was announced that the Westgate Conservation Area open house is to be October 17, 2015.

1. **Discussion: Fearing Hill West – NHESP letter**

**MOTION: Ms. Slavin moved to send the NHESP letter to approve the expenditure of the money donated by Walmart for protection of endangered species to purchase the conservation land abutting Fearing Hill Road. Ms. Lydon seconded.**

**VOTE: (5-0-0)**

1. **Discussion: Town Meeting articles**

This matter was already discussed.

1. **Discussion: Appointments**

No appointments were discussed at this time.

1. **Discussion: Conservation Restriction/Stewardship**
2. **Discussion: Bills**

No bills were discussed at this time.

1. **Discussion: Wetland Bylaw**

No discussion was held at this time.

1. **ADJOURNMENT**

**MOTION: Ms. Slavin moved to adjourn the meeting at 8:26 P.M. Ms. Lydon seconded.**

**VOTE: (5-0-0)**

Date signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_