

WAREHAM CONSERVATION COMMISSION MEETING MINUTES
Wednesday February 2, 2022
6:30 PM
ZOOM MEETING

Call to order at 6:30 PM

Members Present: Sandy Slavin, Chair, Ron Besse, Denise Schulz, Elissa Heard, Michael Mercier, Carol Malonson, David Pichette- Agent

Members Absent: Kwame Bartie

Article 19 from fall town meeting was approved by the AG office – con com meetings will continue via zoom.

PUBLIC HEARINGS

RDA – Paula M. McKeen, c/o Charon & Associates, Inc. – 1156 Main Street

Rick Sharon representing the plan.

Mr Pichette read the project for an upgrade to a title 5 nitrogen reducing septic system and recommends the approval with a Negative 3 due to the buffer zone.

Board Commission Questions -none

Motion and 2nd to close the hearing with a Negative 3 - Approve: 6-0-0

Approved: 6-0-0

RDA – Patrick Hyland, c/o J.C. Engineering, Inc. – 13 Mayflower Ridge Road

Construct a Duplex and septic with a buffer zone

JC Engineering representing the plan.

Mr Pichette read the project and recommends the approval with a Negative 3 due to the buffer zone.

Board Commission Questions –

Michael Mercier - Where is the construction equipment being stored and will it be on level land?

Denise Schulz – Is the shared driveway permeable? Also how is the run-off handled?

Sandy Salvin – Where is the catch basins? Also how is the run-off handled?

Ron Besse – Catch Basin for the runoff?

Elissa Heard – Driveway concerns, water runoff, permeable and water catch basins

JC Engineering – Drywalls will be installed?

Sandy Salvin -- Retention basin to help with water from the driveway.

Motion to continue the hearing for a drainage solution

Motion and 2nd Motion to continue until 3-16-22. Approved: 6-0-0

RDA – Keith Duquette, c/o J.C. Engineering, Inc. – 5 Harborview Lane

Brad from JC Engineering representing the plan.

Mr Pichette read the project. RDA to upgrade septic and also a demo relocation of the septic

It is outside of buffer zone but within the Coastal Zone. Mr Pichette recommends Erosion Control.

Approves the project with a negative 2 determination with a condition for Erosion Control.

Board Commission Questions

Michael Mercier – What is the driveway type? JC Engineering response - paved

Denise Schulz – Electrical concerns?

Sandy Slavin – Water Runoff retention? Grade of land and more erosion control?

Motion to close the hearing with a Negative 2. Motion and 2nd to close. Approve: 6-0-0
Approved: 5-0-0 with a Negative 2 along with condition of drywells and erosion control

RDA – Eric Wade, c/o J.C. Engineering, Inc. – 3 Admirals Way

Brad from JC Engineering representing the plan.

Mr Pichette read the project . RDA to demo and replace dwelling

It is outside of buffer zone but within the Coastal Zone. Mr Pichette noted grading issues?

JC Engineering will add drywells for water run off.

Plans need to be revised for Commission Approval

Board Commission Questions - None

Motion and 2nd to continue to 3/16. Approve: 6-0-0

AOOC – Peak Contractors, LLC, c/o J.C. Engineering, Inc. – 150 Cromesett Road

Brad from JC Engineering representing the plan.

Mr Pichette read the project . Plan change for a dwelling that is 80ft from wetlands and is in the Coastal Flood Zone. New plan is for the location 50ft from the wetland but is has higher elevation and grading added.

Mr Pichette noted the elevation and grading added should not be approved due to the location

Board Commission Questions

Denise Schulz—Why more structure? Impact of neighbor and driveway is the best spot?

Elissa Heard – Important to follow the bylaws

Michael Mercier – Questioned about the higher elevation and grading

Sand Slavin – Driveway length is concerns, Should be a buffer between the house and the no activity zone. Possibly some boulders.

JC Engineering response – noted with the bolders

Motion to continue the hearing 3-16-21-Motion and 2nd to continue. Approve: 6-0-0

NOI – Paul & Andrea Romanus, c/o G.A.F. Engineering, Inc. – 82 Pinehurst Drive – SE76-2725

Remove and replace a section of seawall 82 Pinehurst Drive

Bob Rogers from G.A.F Engineering representing the plan.

Mr Pichette read the project . 30ft Seawall is being removed. Mr Pichette noted there will be excavation needed and should be done on low tides. Also the Commission steps should note that the DMF states that all materials stay away from the salt marsh. DEP file number was not supplied so we would need a continue.

Board Commission Questions

Denise Schulz—Why DMF stated 81 or 82?

Associated member Amy Roberts asked for not having pictures for the board and also where are the stairs going to located?

Motion to continue the hearing due to DEP file number 3-16-21

Motion and 2nd to continue. Approve: 6-0-0

NOI – Continental Capital Partners, LLC, c/o Schneider, Davignon & Leone, Inc. – 5 Butlers Cove Road – SE76-2723

To remove an existing Pier and Reconstruct a new pier.

Motion to continue the hearing 3-16-21-Motion and 2nd to continue. Approve: 6-0-0

NOI – First Hartford Realty Corporation, c/o VHB – 3013 Cranberry Highway – SE76-2724
3013 Cranberry Highway to construct a commercial car wash facility

VHB Engineering Kurt project manager representing also Wetland Scientist Clair K
Mr Pichette read the project . Next to Coastal Flood Zone, Storm water issue which is going to be addressed from the water recycle machine onsite. Storm water should be considered with a standard order of conditions.

Board Commission Questions

Elissa Heard --Water recycle question.

VHB answer – the treatment 50/50 plant that recycles the water.

Tree aesthetics needed to address drainage

Audience member Julie Morton representing SoftTouch Care wash has concerns with the Storm Water and also pond water runoff from across the street.

Motion to continue the hearing 3-16-21 Motion and 2nd to continue. Approve: 6-0-0

Continued Hearings

NOI – Town of Wareham, c/o G.A.F. Engineering, Inc. – Lot 1025 Hynes Field – SE76-2719

Motion to continue the hearing 3-16-21 Motion and 2nd to continue. Approve: 6-0-0

NOI – Warren, QOZB, LLC, c/o G.A.F. Engineering, Inc. – 59 Main Street – SE76-2717

Motion to continue the hearing 3-16-21 Motion and 2nd to continue. Approve: 6-0-0

PUBLIC HEARING

NOI – LSE Hydra, LLC, c/o G.A.F. Engineering, Inc. – 36, 44, 48 North Carver Road – SE76-2710

Representing the project G.A.F Engineering and property owner Linda Rinta

Mr Pichette read the project. The Solar Array is next to wetlands in three sections noted 36,44,48.

There was clear cutting on the Nothernside area without permits. Riverfront that was degraded due to the scope of work. Restoration plan needed. DEP file number of the project should show how the redevelopment of the river front. Order of Conditions for restoration of the river front should be noted. Town By Law should not allow solar arrays next to Riverfront.

Linda Rinta noted the company scaled back from the original design

Board Commission Questions

Denise Schulz –Questioned cutting of trees harvested to pay bills

Elissa Heard – Stated the changes benefits the project but the cutting of the trees was an issue that was not permitted

Michael Mercier – asked how many miles from the other property

Sandy Slavin – Restoration along the 100ft wetland area is needed

Motion to close the hearing 3-16-21 Motion and 2nd to close with an order of condition with restoration plan. Approved: 4-2

NOI – Wareham, MA 3, LLC, c/o Atlantic Design Engineers, Inc. – 91 & 101 Fearing Hill Road – SE76- 2684

Continued Hearing till 3/2 Motion and 2nd Approved 6-0-0

NOI – Mark Connolly, c/o Cape & Islands Engineering, Inc. – Lot 1032-B, Shell Lane – SE76-2707

4-6 Shell Lane Dock this project deals with 1032B Shell Lane for small dock and Pier.

Representing the project Mark Connolly

Mr Pichette read the project located at 1032B Shell Lane for a small dock and Pier.

Stated the project was revised to 197ft Pier. Stated the Ell grass study was none

Division Of Mass Fishery stated there would be impacts to local shel fish/fish.

DEP file stated impacts to the Salt Marsh. David Pichette stated should not be approved due shellfish and impose on recreation resource areas

Attorney Mark Connolly stated the standards are met without impacts. Mark also states the standards and changes are compliant.

Cape and Island Engineering – proposal 44ft gangway sections reduces in piles to 10 piles providing float stops helps with Salt Marsh and thus benefits shellfish in the area.

Brad Holmes –Would plant oyster seeds and Cohogs seed per Buzzards Bay Coalition

Conservation Commission Questions

Ron Besse—Has issue with the amount of docks in the area are “cumulative”

Denise Schulz---recreational activities would be restricted. Towns ByLaws states to provide not a negative impact. Town Of Wareham bylaws states that swimming and or diving as such activities might be limited.

Elissa Heard – no questions

Michael Mercier – Where the piles removed?

David Pichette- Agent

Carol Malonson --- no questions

Sandy Slavin – Questioned the ramp float storage? Engineering stated the float would be stored into flat land

Dave Pichette—Flood Zone issue when bad weather, storage should be uploaded in a safe area

Sand also mentions about the seeding and how they will grow and when the planting would be.

Motion to close the hearing. Motion and 2nd Approved 6-0-0

Motion to deny the project due to Town By-Laws, D.E.P and Wetland act.

Motion to deny 6-0-0 denied.

NOI – David Andrade, c/o Field Engineering, Co. – 69 Great Neck Road – SE76-2705

Motion to continue the hearing 3-16-21 Motion and 2nd to continue. Approve:6-0-0

NOI – Wareham PV 1, LLC, c/o VHB – 0 Route 25 – SE76-2701

Motion to continue the hearing 3-16-21 Motion and 2nd to continue. Approve: 6-0-0

NOI – George & Kerry Barrett, c/o J.C. Engineering, Inc. – 4 Verne Avenue – SE76-2682

Motion to continue the hearing 3-2-21 Motion and 2nd to continue. Approve: 6-0-0

NOI – Dana L. Levy & Denise A. Long, c/o Braman Surveying, LLC – 80 Mayflower Ridge Road – SE76-2708

Motion to continue the hearing 3-2-21 Motion and 2nd to close. Approve: 6-0-0

Enforcement Orders:

Scott & Tracy Denton – 13 Murphy Street - Clear Cutting tree's

Motion and 2nd to ratify the enforcement order vote 6-0-0

Paul Somers – 25 Oak Street

RDA-Work Started and larger scale removal stop work order issued Jul 7th notice was sent

Owner explained the project and it was in a bad state that needed safety measures

Conservation Commissions Questions:

Denise Schulz – Questioned the Stop work order was issued in July

Dave Pichette – Noted foundation could have been in place for safety due to unsafe structure
NOI was needed because it was due to the scope of the work (bigger than presented)
Sandy Slavin – Noted more activity happened a few months ago (January) no notice of intent was filed
Motion and 2nd to Radify Enforcement order and require an NOI. Vote 6-0-0

Certification of Compliance:

Alexa Hashem – 38 Agawam Drive – Project completed – issued of Compliance vote 6-0-0
Roger Holmes – 8 South Water Street - Project completed – issued of Compliance vote 6-0-0

Any other business/discussion and /or vote:

Minutes: Denise will assign minutes to all members

Solar by-law update: Ron Besse gave a brief meeting update on Solar By-Law. He stated it is being prepared for the Town Meeting.

ADJOURMENT:

MOTION MADE AND SECONDED TO ADJOURN THE MEETING AT TIME at 9:57>>> 6-0-0

Date Approved: 4/14/22

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 4/12/22

6-0-0