

Wareham Conservation Minutes for April 6, 2022

Attendees: Sandy Slavin, Denise Schulz, , Ron Besse, Michael Mercier, Kwame Baptiste, Carol Malonson , Associate - Nicole Locurto, Agent: Dave Pichette

Absent: Elissa Heard

Preliminary Business: Review and Approve minutes: move to end of meeting

PUBLIC HEARINGS

RDA: 9 Tyler Ave. Bill Bachant

David Pichette read to project: Raze a cottage along the coastal flood zone. Then replace with a new home served by town water and sewer. Relatively flat lot no grade changes. Recommend approve the project. Gravel drive, sewer, gas, and water stubs present.

Hearing was closed with a vote 6-0-0. Motion to approve project with a negative determination of negative 2 passed vote 6-0-0

RDA : 13 Widows Cove Rd. David and Susan Broderick

David Pichette: Owners want to build a house on a Coastal Flood Zone. (Some grading up to two feet may be necessary about 300 cubic yards). Paved driveway title V septic. An opposition letter was received from a neighbor with concerns about water runoff. He was concerned about the "drainage easement" which was never clarified by documentation.

Discussion ensued the opponent's lawyer, Sam, and Jeff discussed runoff, possibility of dry wells. Owner stated the cul de sac has filled with water during the one year he has been here. His well has bacteria, and he has are other well problems. There was no discussion of the reason for the well problems. Tree cutting and lawn were also discussed. Sandy stated she wanted very low nitrogen fertilizer used. The project was continued to allow the engineer to redraw the plans and perhaps consider the catch basins, underground filtration and dry wells. Motion to Continue until 4/20 was passed. Vote 6-0-0

RDA: 152 Onset Ave: Amanda and Theodore Martinot c/o Lockwood Architects

David Pichette: Petitioners want to reconstruct the dwelling (including a new kitchen), demolish a patio and build a smaller patio. The whole project is basically in the existing footprint.

Recommend approval. Hearing was closed with a vote 6-0-0. A motion was made and passed to accept the project with a negative 2 determination. Vote 6-0-0

RDA: 18 Commonwealth Avenue: Barbara and Scott Soby c/o Lockwood Architects

David Pichette Project in the LDS Campground. The project is within Coastal Flood Zone.

There is no other resource area nearby. They are planning a new 40x10 deck and screened in area. In the back they will remove the stairs and build an 8x14 enclosed "structure", Sonic tubes will support the new additions. Hearing was closed with a vote 6-0-0. Motion made and seconded to approve the project with a negative 2 determination. Vote 6-0-0.

A motion was made and passed to accept the project.

RDA: 9 Beach Plum Lane: Sandra Stowe c/o Lockwood Architects. Michael excused himself from this project

David Pichette: Dwelling is in Buffer Zone to a Coastal Bank. The single floor addition is over an existing patio. Recommend dry wells as the addition will be impervious. Any new structures will be on sonar tubes. Hearing was closed vote 5-0-0. A motion was made and seconded to approve the project with a negative 2 determination and the addition of dry wells to address the runoff. Motion passed vote 5-0-0. Michael returned.

RDA: Robinwood Road Lane Steek c/o Farland Corp

David Pichette: Project is to upgrade a septic in a Coastal Flood Zone. There are no other resource areas nearby. Recommend the Title V septic project.

Hearing was closed with a vote 6-0-0. Motion made and seconded passed to accept the upgraded septic. Vote 6-0-0

NOI: 55 Long Beach Way: Jennifer Longwood Butler: c/o GAF Engineering. SE76-2734

David Pichette: Project is to install upgraded septic system in the buffer zone bordering vegetative wetlands. Cesspools will be filled.

Brian Grady responded to questions. Hearing was closed vote 6-0-0. Motion made and seconded to approved with Standard Orders of Conditions and passed vote 6-0-0.

AOOC: 59 Main Street: Warren,,QOZB c/o ASAP Engineering, Inc SE76-2664

David Pichette: The project presented is an amendment of a previous plan. Want to replace 4 pilings and fill 4 sink holes. No increased turbidity of the river is allowed between March 15 and July 15. Robert Derosiers and Danny Warren both discussed the project. The sink holes were found behind the walkway and will be hand excavated and refilled with a Geo fabric and a flowable cement. The pilings will be replaced after July 15. Hearing was closed with a vote 6-0-0. A motion was made to accept the amended Order of Conditions project allowing the filling of the four sink holes and the replacement of the four pilings vote 6-0-0. All the original conditions remain in force. After the vote Sandy added that the yellow foam she mentioned during the hearing must be removed.

CONTINUED PUBLIC HEARINGS

NOI Town of Wareham Hynes Field SE76-2719:

Motion made and seconded to continue until May 4

NOI: 21 Old Glen Charlie Road c/o JC Engineering RC Motto Inc.

David Pichette : No one is present to represent Motto Inc. Has not heard from them. Sandy asked David to go to the site. Two neighbors, Cheryle Scubert and Russ Crevin presented with concerns that the yard is not being cleaned up. Mr. Pichette stated that the yard has soil, limbs, boats and house debris etc. The concern was that more junk was going in. At the last meeting ,Motto Inc had been previously continued in order that he clean up the yard.

Motion to Continue to 4/20/22. Motion made and passed. Vote 6-0-0

NOI: 4 Wareham Lake Shore Drive: Robert and Jeanine Perry: c/o Scheider, Davignon and Leone. David Pichette: A revised plan has been submitted. This is in response to a violation. All of the new structures at this waterfront are within the 30 foot no activity zone and must be removed. A long discussion ensued with Dave Davignon, Robert Perry and the commission. Sandy brought up the idea of making a new plan which would show what the area would look like once completed. Dave Davignon showed that it was clear on the plan submitted on March 18. This NOI is also asking for approval to put in a new septic, an addition to the house and a garage. All three were acceptable to Mr. Pichette. Hearing was closed with a vote 6-0-0. A motion was made and seconded to approve the project with the Standard Order of Conditions and that the structures within the 30 foot zone would be removed.(including 2 retaining walls, the staircase by the patio as well as the patio. Once removed loam and seed for grass would take its place. The Septic, the Addition and the Garage would also be approved. Also a \$300 fine for the owner and \$300 fine for the contractor. The above motion was made and passed vote 6-0-0

NOI: 326 Glen Charlie Road :Robert Rego c/o River Hawk Environmental Inc. David Pichette: A new plan is presented. A DEP # has been received. The last one did not mention the watering from the pond and the kayak rack which is partially in the water. The stairway and dock are approvable. The pumping water for personal landscaping and the kayak which is in the water are not approved. Robert Rego (owner) repeatedly states that he is not going against wetlands laws. Mr. Pichette reiterates his position. State agricultural permits are required of the cranberry growers. Russ Krevin and his wife Shannon spoke about the water quality in August in "their" pond. Sandy said she would look at the pumping station and look at the water quality. Sandy stopped the conversation with the Krevins as this hearing is not about the Krevins, but Mr. Rego. Mr. Rego reiterated his interpretation of the wetland bylaw. David Pichette reiterated his position and the wetland law. Hearing was closed with a vote 6-0-0. A motion was made to accept the planned stairway and dock with Standard Order of Conditions and to deny the watering pump and kayak holder a \$300 fine for starting work before approval . Motion was voted upon and passed. Vote 6-0-0.

NOI: 459 Main Street. Greg Drake CNS Home Solutions c/o Outback Engineering David Pichette: A revised plan is presented. Greg Drake discussed plan. New plan will expand the gravel parking area, add a grass swale in the area which is now grass. Gravel will be easier to clean than grass. Discussion on street drainage impacting the parking. A 3 inch lip will be placed at the top of the driveway to keep street runoff in the street. Hearing was closed with a vote 6-0-0. Motion to accept the amended plan with Standard Order of Conditions. And a maintenance plan for the swale. Motion passed. vote 6-0-0. Sandy added that she would like Mr. Drake to discuss the lip with Municipal Maintenance.

NOI: 25 Oak Street: Paul Somers, c/o F.W. Westgate and Associates David Pichette: DEP# was received. This is an after the fact filing as owner went beyond the scope of allowable/approved work and was asked to file a NOI. There was little discussion.

Hearing was closed vote 6-0-0. A motion and seconded to accept the plans as presented with the Standard Order of Conditions was passed. Vote 6-0-0.

NOI Town of Wareham 91 and 101 Fearing Hill Road: SE76-2684 continued until April 20

NOI Town of Wareham PV1 LLC c/o VHB 0 Route 25; SE76-2701 continued until April 20

NOI George and Kerry Barrett 4 Verne Avenue : SE76-2682 continued until May 4

Mr. King case was forwarded to this meeting of April 6, 2022, but did not get on the agenda. David has spoken with Mr. King and assured him that he will be on the next agenda.

ENFORCEMENT ORDERS

RUSSELL KRIEHN 24 Old Glen Charlie Road.

David Pichette: Mr. Kriehn had altered the land within the buffer zone. He was to clean up his yard, and storage container. Mr. Kriehn and wife Shannon joined the discussion. Discussion turned to trees that fell and boulders placed to try to stop water flow under deck and clean up of sand and road debris. Mr. Pichette state that an enforcement order was written a year ago. So, this is a follow up. Mr. Pichette will visit the site and review the situation.

71 Onset Ave. Mr. Pichette sent an enforcement order. Has not heard from them. The present owners have altered the 30 foot no activity zone. This is a new order. Mr. Pichette recommends that the committee see the area while we wait for a response to the order.

CERTIFICATES OF COMPLIANCE

Slocum Gibbs Cranberry Company-Rte 495 and Charlotte-Furnace Road

This Certificate of Compliance was already issued, but not recorded. Vote 6-0-0

Meeting Minutes in Response to the AG

June 3,2020 2-0-4

June 8, 2020 2-0-4

June 10,2020 2-0-4

December 2, 2020 5-0-1

May 19, 2021 6-0-0

June 16,2021 4-0-2

August 4,2021 5-0-1

August 18,2021 vote to rescind minutes approved 3/2/22 vote 6-0-0

August 18, vote to approved amended minutes 6-0-0

October20,2021 6-0-0

November 3, 2021 6-0-0
November 17, 2021 5-0-1
December 15, 2021 6-0-0
January 5, 2022 6-0-0
February 2, 2022 6-0-0
March 16, 2022 6-0-0

Sandy decided that we would vote with the members present . Those who were at the meeting being voted upon could vote "Yea, Nay or Abstain". Those who were not at the meeting or not members could only be counted as "Abstain"

Sandy will sign all the minutes.

Nora Bicky will get a copy of the minutes. Denise wants a receipt from Ms,Bicki

Denise Shulz asked why the AG did not get a response to her first letter. Dave stated that he did not have the minutes and thus could not respond.

Sandy wanted to know if we had a record of Superseding orders. Dave said he had them. Six orders are in the works.

Ron recommend that Conservation vote on Solar article S15 next meeting. Fincom, and Planning Board have already expressed support. Waiting for Selectmen.

Adjourn: 9:13PM

ADJOURNMENT:

MOTION MADE AND SECONDED TO ADJOURN THE MEETING AT 9:13>>> VOTE 6-0-0

Date Approved: 4/25/22

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 4/27/22