

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: June 7, 2017

I. CALL MEETING TO ORDER

The meeting was called to order at 7:15 P.M.

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
Joe Leggett
Elizabeth Lydon
Jim Smith
Mary Taggart
Elissa Heard
Robert Lassen, Associate Member
Dave Pichette, Agent

Members Absent: Sandy Slavin
Mark Carboni, Associate Member
Donald Rogers, Associate Member

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: September 7, 2016, September 21, 2016, April 5, 2017

MOTION: Ms. Lydon moved to accept the meeting minutes of September 7, 2016. Mr. Leggett seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Heard moved to accept the meeting minutes of September 21, 2016. Ms. Taggart seconded.

**VOTE: (5-0-1)
Ms. Lydon abstained**

MOTION: Mr. Smith moved to approve the meeting minutes of April 5, 2017. Ms. Taggart seconded.

**VOTE: (5-0-1)
Ms. Lydon abstained**

IV. PUBLIC HEARINGS

A. RDA – Cynthia Petrie

A site inspection was made at 17 Indian Neck Road. The project involves the construction of an addition within a coastal flood zone. A 10'x23' addition is proposed within coastal flood zone AE, el. 14. The addition will have a poured concrete foundation. The work is not within the buffer zone to any other resource areas. No grade changes are proposed. Mr. Pichette recommended the issuance of a Negative Determination #2 for the project.

MOTION: Mr. Leggett moved to close the public hearing for Cynthia Petrie. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Leggett moved to grant a Negative #2 Determination for Cynthia Petrie. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

B. RDA – Church in the Pines, c/o Joel Hartley, RPE

A site inspection was made at lot 1048 in Wareham. The project involves the installation of a water line in the buffer zone to bordering vegetated wetland and to delineate a wetland boundary. A water line is to be installed within an existing woods road 75' from the edge of the wetland. 150' of water line would be installed in Wareham, with the remainder of the line that would extend over the town line into Carver. The work would involve trench work for the new line which would be backfilled at the end of the work day. Mr. Pichette recommended the approval of the wetland delineation and a Negative Determination #3 for the installation of the water line.

The applicant has requested a continuance until June 21, 2017.

MOTION: Ms. Lydon moved to continue the public hearing for Church in the Pines to June 21, 2017. Mr. Leggett seconded.

VOTE: Unanimous (6-0-0)

C. RDA – Lisa Brownson, c/o G.A.F. Engineering, Inc.

Present before the Commission: Bill Madden, G.A.F. Engineering, Inc.

A site inspection was made at 9 Lydias Island Road. The project involves upgrading a septic system within a coastal flood zone. An existing cesspool is to be replaced with a new Title V system within coastal flood zone VE, el. 17. The proposed work is not within the buffer zone to any other resource areas. There will be some minor grading around the proposed leach field as shown on the plan. A new septic tank will be installed behind the existing dwelling. Mr. Pichette recommended the issuance of a Negative Determination #2 for the project.

MOTION: Ms. Lydon moved to close the public hearing for Lisa Brownson. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Lydon moved to grant a Negative #2 Determination for Lisa Brownson. Mr. Smith seconded.

VOTE: (5-0-1)
Mr. Leggett abstains

D. NOI – Fort Fairfield BP, LLC/Navionics, LLC, c/o G.A.F. Engineering, Inc. – SE76-2433

Present before the Commission: Bill Madden, G.A.F. Engineering, Inc.

A site inspection was made at lot 1006-Q4 (Q2,Q3) on Thatcher Lane in the Industrial Park. The project involves the construction of a commercial building and an additional future building pad with associated parking, drainage, and utilities in the buffer zone to bordering vegetated wetland (BVW). The BVW is a cranberry bog. The proposed commercial development would be up to the 50' no activity zone line. There are two points shown on the plan that encroach into the 50' no activity zone, to within 30' of the edge of the wetland. These should be reduced in size or eliminated. A proposed future building pad for a 52'x115' building and portions of proposed detention basins are proposed, partially within the buffer zone to the wetland. The Town Engineer has submitted comments to the Planning Board on the project with some recommended changes to the proposed project relative to the stormwater drainage. A DEP file # has been received for the project. Mr. Pichette recommended the hearing be continued at this time to address the comments from the Town Engineer and the encroachments into the 50' no activity zone.

Mr. Madden presented the project, citing the development of the 50' access road is essential for bog production. He stated it would be a safety issue to minimize the width of the road considering fire truck and emergency vehicle access, as well as the operation vehicles.

MOTION: Mr. Leggett moved to continue the public hearing for Fort Fairfield BP, LLC/Navionics to June 21, 2017. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – William Franklin, Green Seal Environmental, Inc.

The applicant has requested a continuance.

MOTION: Ms. Lydon moved to continue the hearing to June 21, 2017. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

B. NOI – Garry Buckminster/Wareham Harbormaster/Shellfish Dept., c/o the Nature Conservancy – SE76-243

The applicant has requested a continuance until June 21, 2017.

MOTION: Mr. Leggett moved to continue the public hearing for Garry Buckminster/Wareham Harbormaster/Shellfish Dept. to June 21, 2017. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. Alan Despault – 13 18th Street

Present before the Commission: Alan Despault

The applicant had extended a roadway in the buffer zone to wetlands and within a flood zone. The roadway part was completed. On the original plan there was a catch basin. At this time, the catch basin has not been installed.

Mr. Leggett recommended adding four inches of crushed stone at the end of the apron about a foot out and two feet out from the built up path, in lieu of a fine.

MOTION: Mr. Leggett moved to allow the Conservation Agent to grant the Certificate of Compliance for Alan Despault once the crushed stone is installed. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

B. Wayne Cunningham – 192 Glen Charlie Road

The applicant was permitted to construct a seasonal dock, replace a retaining wall, and construct a patio and walkway. The project was partially completed. The dock has been constructed, the seawalls have not been replaced and the brick patio was installed in a different design than shown on the plan. The applicant removed trees that were not permitted to be removed. The site is stabilized now.

Mr. Leggett expressed concern re: the tree cutting, but the rest of the work he feels remains in the purview of the Order of Conditions.

MOTION: Mr. Leggett moved to approve a Certificate of Compliance for Wayne Cunningham and to impose a \$200.00 fine for the tree removal. Ms. Lydon seconded.

VOTE: Unanimous (6-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

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

X. ADJOURNMENT

MOTION: Ms. Lydon moved to adjourn the meeting. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

Date signed: SSS

Attest: 8/2/17

~~Ken Baptiste, Chairman~~

WAREHAM CONSERVATION COMMISSION

SANDAN SLAW
c. Keith Proctor

Date copy sent to Town Clerk: 8/3/17