

WAREHAM CONSERVATION COMMISSION MINUTES FOR WEDNESDAY, October 20, 2021 6:30PM

MEMBERS PRESENT: Sandy Slavin, Ron Besse, Michael Mercier, Kwame Bartie, Carol Malonson, Denise Schulz, Agent - Dave Pichette

MEMBERS ABSENT: Elissa Heard

Before the start of public hearings, Sandy addressed the discovery of 12-13 trees that had been cut, sawed off and left on the bank along Onset Bluffs. Upon visiting the location, Sandy turned around to see which properties would benefit from the trees being removed and discovered that 3 Hotel Street, 2 Ocean Ave and 181 Onset Ave now have a beautiful view of Onset harbor. She asked that anyone with information on the parties responsible, please report to the Wareham Police Department. A formal complaint will be made for the unlawful clearing of trees on town property and on a coastal bank.

PUBLIC HEARINGS:

RDA – Stanley Crowell – 22 Judson Street

Mr. Pichette read to project: Construction of additions within a coastal flood zone, AE, one addition to existing house and a second addition to the existing garage. Existing house has a deck that will be removed and put on the addition to be constructed.

Motion and 2nd to close: Approve: 6-0-0

Motion and 2nd to approve with Negative #2. Approve: 6-0-0

SE76-2704 NOI- Jill Wright, c/o Bill Madden, G.A.F. Engineering, Inc. – 55 Edgewater Drive

Mr. Pichette read to project: Application in response to a violation that occurred at this address for starting this project without conservation commission approval. The project is to install a cobble parking area and to construct a 65 ft. stone wall and stone stairs between the wall and a pre-existing stone wall in the buffer zone to a coastal bank. The excavation to install footing and base of the wall had already been started. The site also has an existing dock that is shorter than what the previously approved plan shows (SE76-520), leaving the end of the dock resting on the ground at low tide.

Motion and 2nd to continue to 11/3. Approve: 6-0-0 To allow time to research a solution for the dock to comply with bylaws.

SE76-2703 NOI – Joyce Wall, c/o J.C. Engineering, Inc. – 14 North Boulevard

Mr. Pichette read to project: To demolish an existing dwelling and to construct a new dwelling, paved driveway, and utilities within the buffer zone to a coastal beach, in AE flood zone, elevation 14.

Motion and 2nd to close: Approve: 6-0-0

Motion and 2nd to approve project contingent upon placement of a pervious driveway without paving over. Approved standard order of conditions: Approve 6-0-0

SE76- NOI – Frank Tramantozzi, c/o Atlantic Coast Engineering, 31 & 33 Prospect Street

Mr. Besse read to the project: To construct an extension to the existing pier. Cont. requested

Motion and 2nd to continue to 11/3. Approve: 6-0-0

CONTINUED PUBLIC HEARINGS

RDA – TEC Associates – Railroad corridor

Motion and 2nd to continue to 11/3. Approve: 6-0-0, representation not in attendance for this project.

SE76-2696 NOI – Point Independence Yacht Club, c/o Bob Rogers, G.A.F Engineering, Inc. – 0 Point Independence- Paul Sullivan and Chris Cuppins, Point Independence Yacht Club present for this project. Mr. Pichette read to project: Maintenance dredging at this site in land under the ocean and within land containing shellfish. Plan proposes regrading adjacent beach around bulkhead to remove sand build up around bulkhead. Sand will be relocated and used to fill in gullies along point independent beach (washed out parts of the beach as a result of significant rainstorm events) As per request from MA Division of Marine Fisheries, there is a time of year restriction on dredging activities from Jan. 15- May 31.

Motion and 2nd to close: Approve: 6-0-0

Motion and 2nd to approve with standard order of conditions : Sand must be distributed above mean high tide line, town will do the relocating of the sand with help from the Point Independence Yacht Club, and sand will be stored in the upland area in the location identified on the site plan. Approve 6-0-0

SE76-2690 NOI – William & Jean Whalen, c/o G.A.F. Engineering, Inc. – 11 Gitchee Gumees Road

Mr. Pichette read to project: An enforcement order for work done at the site involving installation of a block retaining wall along the top of a coastal bank. A concrete block wall with a base layer of stone was constructed, measuring approximately 43 ft in length, without approval. Recommendation made to remove the wall and return land to its original state. This project matter has been continued several times due to lack of representation for the project, Mr. Whallen disputed whether or not he was present and has expressed his frustration with the process. He stated that he has fired G.A.F. Engineering and is waiting on response from his legal counsel on the matter. In order to find a solution to the matter Mr. Whallen has requested more time to hire a new engineer to draw up plans for board approval.

Motion and 2nd to continue to 11/17. Approve: 4-2-0

SE76-2679 NOI – Mario Signore, c/o G.A.F. Engineering, Inc. – 91 Edgewater Drive

Mr. Pichette read to project: Construction of pier, ramp and float within land under the ocean, within land containing shellfish, saltmarsh, in a coastal flood zone and within estimated habitat of rare and endangered species. Plan includes a 243 ft ramp and float, with 28 pilings for the structure in an area of fairly shallow waters, only about 2ft at the end of the float. The Department of Marine Fisheries has concerns over the shallow waters and creating turbidity in the water during construction. Some work will need to be done by a floating barge, and on the inland side with another method to drive posts. Sparse sections of eel grass was previously found at the site but has since disappeared, possibly due to weather related conditions. There have been several violations in the past at the site, including construction of an old dock without permit and a septic installed not in accordance with the approved plan.

Motion and 2nd to close: Approve: 6-0-0

Motion and 2nd to approve with standing order of conditions : To include 30in. float stops; No work to be done until commission receives an engineering plan for the work to be done on the land side and water side of construction; All materials from the old and new piers to be removed from the site by 12/31/21. Approve 6-0-0

SE76-2693 NOI – Scott Gray, c/o J.C. Engineering, Inc. – 17 Lydias Island Road
Continuance requested

Motion and 2nd to continue to 11/3. Approve: 6-0-0

SE76-2642 NOI – Scott & Laura Crisafulli, c/o J.C. Engineering, Inc. – 9 Lydias Island Road
Motion and 2nd to continue to 11/3. Approve: 6-0-0

SE76-2682 NOI – George & Kerry Barrett, c/o J.C. Engineering, Inc. – 4 Verne Avenue
Motion and 2nd to continue to 11/3. Approve: 6-0-0

SE76-2702 NOI – Wendy S. Anderson, David Davignon c/o Schneider, Davignon & Leone. Inc. – 247 Great Neck Road

Mr. Pichette read to project: NOI in response to an enforcement order issued for the unpermitted construction of a 220 ft stone wall and 60 ft stone jetty on a coastal beach. Conditions: To remove unpermitted structure and redistribute the stone onto the coastal beach from which it was taken to construct the wall. (1)Stones to be removed using a rubber-tired backhoe and timber mats as needed to stabilize the beach. (2)Work to be done during lower tidal range and machine to be stored upland when not in use, using the existing pathway from lawn to beach. (3)Beach to be restored using jute netting and planting beach grass,(4) small stones will not be distributed in or near salt marsh and per MA National Heritage, a (5) time of year restriction from April 1- August 31 to protect nesting piping plovers.

Motion and 2nd to approve with standard order of conditions and 5 conditions stated above: Approve 6-0-0

SE76- 2684 NOI – Wareham MA 3, LLC, c/o Atlantic Design Engineers, Inc. – 91 & 101 Fearing Hill Road
Abutters present to dispute the project with concerns over the effects to private wells and drainage, and the possible bias of the reports from the hydrologist's study.

Motion and 2nd to continue to 11/3. Approve: 6-0-0

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

Motion and 2nd to continue to 11/3. Awaiting town engineer review. Approve: 6-0-0

EXTENSION REQUESTS

ENFORCEMENT ORDERS

CERTIFICATES OF COMPLIANCE

Ed Perkins – 28 Fishermans Cove Road- Motion to accept with the issue of \$100 fine to contractor for construction materials/ debris left on the beach. Approve 6-0-0

Diane Gustafson – Canedy Street - Area of wetland on the property being mowed, owners explain it has been mowed since they bought it and the area is no longer a wetland area since they found and removed a tire blocking the culvert. Mr. Pichette and commission members will visit the site to determine issuance of certificate of compliance.

Gail Maddigan – 7 Pequod Lane - Motion to accept certificate of compliance. Approve 6-0-0

ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE

Discussion: Appointments/Reappointments

Discussion: Conservation Restriction/Stewardship

Discussion: Bills

Motion and second to adjourn the meeting - 8:40PM Approve 6-0-0

Date Approved: 4/6/22

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

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

6-0-0