

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of meeting: November 4, 2020
(Via Zoom Remote)

I. CALL MEETING TO ORDER

The meeting was called to order at 6:30 P.M.

II. ROLL CALL

Members Present: Sandy Slavin, Chair
Elissa Heard
Jim Smith
Mary Taggart
Ron Besse
Carol Malonson
Micheal Mercier, Associate Member
Kwame Bartie, Associate Member
David Pichette, Agent

III. PRELIMINARY BUSINESS

IV. PUBLIC HEARINGS

A. NOI – Michael Trojano, c/o Lockwood Architects – 15 Granston Way – SE76-2641

The public hearing notice was read into the record.

Present before the ConCom: Bill Lockwood, Lockwood Architects
Michael Trojano

Mr. Pichette described the project. The property is located at 15 Granston Way. The project involves 16x20 ft. addition to a barn in the buffer zone to a coastal bank. Erosion control should be installed. A DEP file number has been assigned. He recommended approval of an OOC w/ standard conditions.

MOTION: Mr. Smith moved to close the public hearing for Michael Trojano. Mr. Besse seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Heard moved to grant an Order of Conditions for Michael Trojano w/ standard conditions. Mr. Besse seconded.

VOTE: Unanimous (6-0-0)

V. CONTINUED PUBLIC HEARINGS

A. NOI – Loan Lacoy, c/o Lockwood Architects – 15 Cleveland Way – SE76-2633

MOTION: Ms. Heard moved to table the public hearing for Loan Lacoy until the end of the meeting. Mr. Besse seconded.

VOTE: Unanimous (6-0-0)

B. NOI – Glenn Priolo, c/o River Hawk Environmental, LLC – 6 Preservation Lane – SE76-2635

Present before the ConCom: Bob Rego, River Hawk Environmental, LLC

Mr. Pichette described the project. The property is located at 6 Preservation Lane. The project involves the construction of a pier, ramp & float into Beaver Dam Creek which is w/in land under the ocean, salt marsh, riverfront area & a coastal flood zone. The landward part of pier has been reduced. Comments have been received from MA DMF re: height of pier over the marsh & that the height of the pier should be higher due to width. The revised plan shows a reduced width. Natural Heritage has no adverse comments.

Mr. Rego discussed width of pier, piling sizes, removal of ramp & float seasonally & installation of piling methodology. Discussion ensued re: various aspects of the project.

Mr. Pichette recommended when the project starts, it be monitored & if impacts to the marsh occurs, another option needs to be sought re: installation of pilings. Brief discussion ensued. Mr. Pichette also recommended the float & ramp not be stored on coastal bank, salt marsh or any resource area, the dock is limited to the 3 ft. width due to height being proposed & marsh work be done during low tide & water work at high tide.

MOTION: Ms. Heard moved to close the public hearing for Glenn Priolo. Mr. Besse seconded.

VOTE: Unanimous (6-0-0)

MOTION: Ms. Heard moved to grant an Order of Conditions for Glenn Priolo w/ standard conditions & the added conditions that monitoring of the tripod use for be done, the ramp & float not be stored on the coastal bank, salt marsh or any resource area, dock to be limited to 3 ft. in width & marsh work to be done at low tide & water work to be done at high tide. Mr. Besse seconded.

VOTE: Unanimous (6-0-0)

- C. NOI – Borrego Solar Systems, Inc., c/o Beals & Thomas, Inc. – 150 Tihonet – SE76-2613**
- D. NOI – Borrego Solar Systems, Inc., c/o Beals & Thomas, Inc. – 140 Tihonet Rd. – SE76-2611**

The applicant has requested a continuance of both hearings.

MOTION: Ms. Heard moved to continue the public hearings for Borrego Solar Systems, Inc. (150 & 140 Tihonet Rd.) to November 18, 2020. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

E. NOI – 290 Glen Charlie Road, LLC, c/o G.A.F. Engineering, Inc. - 290 Glen Charlie Road – SE76-2640

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.
Brian Grady, G.A.F. Engineering, Inc.
Jaime Madeo, Attorney

Mr. Pichette described the project. The property is located at 290 Glen Charlie Rd. The project involves the reconstruction of a flume/culvert under the access road to the Maple Park Campground w/in riverfront area to the Agawam River, inland banks w/in an anadromous fish run & w/in estimated habitat for rare & endangered species. Natural Heritage had no negative comments. MADMF made a comment for time of year work restrictions. He described the project details at length.

Ms. Madeo spoke re: fill placed w/in the pond & request to have a separate public hearing to discuss this matter. Mr. Pichette recommended continuing the public hearing to review the revised plan. Ms. Madeo stated this project is in the emergency category & it can't be delayed.

MOTION: Ms. Heard moved to table the public hearing for 290 Glen Charlie Road, LLC to later in the meeting. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

A. Boone Ferri – 16 Jobs Island Road

Present before the ConCom: Boone Ferri

The violation involved clearing activity in the buffer zone to & on a coastal bank & buffer zone to a salt marsh. Mr. Ferri was told an NOI needed to be submitted. Mr. Ferri indicated he had hired JC Engineering, Inc. to handle the NOI. JC Engineering, Inc. has indicated recently they have not been given approval to proceed.

Mr. Ferri stated he was just cleaning up the property, was not clearing in the buffer zone & did not cut any trees. He mowed underbrush in the buffer zone. He had contacted JC Engineering, Inc. & survey estimated was unaffordable, thus, he hasn't moved forward. Fresh vegetation has grown back. He will not do any more work. Mr. Pichette stated mowing the underbrush is a violation & may need to be restored, hence, the need for an NOI. Discussion ensued re: members revisiting the site. The ConCom members concurred.

NOTE: The meeting went back to item V. Continued Public Hearings – A. NOI – Loan Lacoy, c/o Lockwood Architects – 15 Cleveland Way – SE76-2633

Present before the ConCom: Bill Lockwood, Lockwood Architects

MOTION: Mr. Besse moved to un-table the public hearing for Loan Lacoy. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

Mr. Pichette described the project. The property is located at 15 Cleveland Way. The project involves the construction of a 20x20 ft. garage in the buffer zone to a coastal bank. A DEP file number has been assigned. He recommended a denial of the project due to it being w/in the 30 ft. no activity zone.

Mr. Lockwood asked either to withdraw the application w/out prejudice or continue for six months.

MOTION: Mr. Besse moved to accept the withdrawal w/out prejudice of the application for Loan Lacoy. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

NOTE: The meeting went back to item V. Continued Public Hearings – E. NOI – 290 Glen Charlie Road, LLC.

MOTION: Mr. Besse moved to un-table the public hearing for 290 Glen Charlie Road, LLC. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

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

Lengthy discussion ensued re: time of year work restrictions given by DMF, need for clarification, preserving slope vegetation & replanting, violation of fill placed in pond & timeframe for concluding the conditioning of the project.

Present before the ConCom: Lisa Morales

Ms. Morales asked if an emergency application will be filed. Ms. Madeo stated no with the assurances discussed by the ConCom as of now.

Ms. Morales asked re: the existing violation. Ms. Slavin discussed how this will be handled.

Present before the ConCom: Nancy McHale

Ms. McHale asked if conditions can be placed on limiting public access on certain sloped areas w/ trails to prevent erosion. It was stated the applicant would have to address this.

MOTION: Ms. Heard moved to continue the public hearing for 290 Glen Charlie Road, LLC to November 18, 2020 w/ stipulation that conditions be prepared for a vote on said date. Ms. Malonson seconded.

VOTE: Unanimous (6-0-0)

Brief discussion ensued re: how to proceed w/ the violation.

NOTE: The meeting went back to item VII. Enforcement Orders - B. Scott Vajgrt – 34 Point Pleasant Circle.

No-one was present to represent the matter.

The violation involved stone being added by the water edge/low sheet wall staked in. An Enforcement Order was issued.

MOTION: Ms. Heard moved to ratify the Enforcement Order for Scott Vajgrt. Ms. Taggart seconded.

VOTE: Unanimous (6-0-0)

VIII. CERTIFICATES OF COMPLIANCE

A. William MacKenzie – 1182 Main Street

The project involved a septic repair.

MOTION: Mr. Besse moved to grant a Certificate of Compliance for William MacKenzie – 1182 Main St. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

B. George Scott – 5 Sandy Road

Mr. Pichette requested holding off on this item.

IX. ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE

A. Discussion: Next meeting dates

B. Discussion: Appointments/Reappointments

Brief discussion ensued re: Associate member openings & applicants.

MOTION: Ms. Heard moved to request Lisa Morales be appointed as an Associate member by the BOS. Ms. Besse seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Besse moved to request Kwame Bartie be appointed as an Associate member by the BOS. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

MOTION: Mr. Besse moved to request Michael Mercier be appointed as an Associate member by the BOS. Ms. Heard seconded.

VOTE: Unanimous (6-0-0)

C. Discussion: Conservation Restriction/Stewardship

D. Discussion: Bills

X. ADJOURNMENT

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

VOTE: Unanimous (6-0-0)

Date signed: 8/18/2021

Attest: SSS / wn

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 8/19/21