

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: July 1, 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
Michael Mercier
David Hall
Robert Lassen (Arrived approx. 7:10 P.M.)
David Pichette, Agent

Member Absent: Mary Taggart

III. PRELIMINARY BUSINESS

IV. PUBLIC HEARINGS

A. RDA – Robert Krystofolski, c/o Analysis & Design Engineering – 1172 Main Street

The public hearing notice was read into the record.

Present before the ConCom: Robert Krystofolski
Representative for Analysis & Design Engineering

Mr. Pichette described the project. The property is located at 1172 Main Street. The project involves upgrading a septic system w/ a Title V nitrogen reducing system in the buffer zone to a BVW. The leach field is outside the buffer zone. He recommended silt fence be used. He recommended the issuance of a Negative Determination #3.

The representative briefly discussed the plan.

MOTION: Ms. Heard moved to close the public hearing for Robert Krystofolski. Mr. Hall seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Heard moved to grant a Negative #3 Determination for Robert Krystofolski. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

B. NOI – James & Cheryl Enos, c/o Outback Engineering, Inc. – 41 Riverside Drive

The public hearing notice was read into the record.

Present before the ConCom: Elise Trip, Outback Engineering, Inc.

Mr. Pichette described the project. The property is located at 41 Riverside Drive. The project involves the demolition of an existing home & the construction of a new home in the buffer zone to a coastal dune & a coastal flood zone AE, elevation 14. The new dwelling will be elevated per flood zone regulations. The driveway will be expanded. He recommended a drywell for runoff. Some existing retaining walls will be removed & new retaining walls proposed. Grade changes are proposed. A DEP file number has been assigned. He recommended the issuance of an OOC w/ standard conditions & the added condition that drywells be installed.

Ms. Trip discussed current & proposed impervious surface for the driveway & if drywells will be needed. Mr. Pichette still recommended drywells. Discussion ensued.

Discussion ensued re: the retaining walls & grades.

MOTION: Ms. Heard moved to close the public hearing for James & Cheryl Enos. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Heard moved to grant an Order of Conditions to James & Cheryl Enos w/ standard conditions & the added conditions that drywells be installed for roof runoff & grades on either side of home matches to prevent runoff. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

C. NOI – Borrego Solar Systems, Inc., c/o Beals & Thomas, Inc. – 140 Tihonet Road – SE76-2611

The public hearing notice was read into the record.

Present before the ConCom: Stacey Minehan, Beals & Thomas, Inc.
Dean Smith, Borrego Solar Systems, Inc.
Zack Fargus, Borrego Solar Systems, Inc.

Mr. Pichette described the project. The property is located at 140 Tihonet Rd. The project involves the construction of a solar array in the buffer zone to BVW & on 76 acres of forested land. Clearing work would be done up to the 50 ft. no activity zone. He has not yet walked the site & the project is currently being reviewed by the Town's engineer. A DEP file number has been assigned. He recommended a continuance of the hearing. The plan notes some work proposed w/in the 50 ft. no activity zone in a small area. He requested the plan be modified to delete this work in the no activity zone.

Ms. Minehan discussed offsets from resource areas & discussed a request for a waiver for work w/in the small area w/in the no activity zone to widen the roadway. She discussed clearing of 77 acres of land w/ 66 acres fenced. Mr. Fargus noted Borrego plans on working w/ the Planning Board to offset/minimize the trees to be cleared.

Ms. Minehan spoke re: grading, excavation & two potential vernal pools on site. Discussion ensued re: the potential vernal pools.

NOTE: Mr. Lassen arrived at this time.

MOTION: Ms. Heard moved to continue the public hearing for Borrego Solar Systems, Inc. to July 15, 2020. Mr. Hall seconded.

VOTE: Unanimous (6-0-0)

D. NOI – Borrego Solar Systems, Inc., c/o Beals & Thomas, Inc. – 27 Charge Pond Road – SE76-2612

The public hearing notice was read into the record.

Present before the ConCom: Stacey Minehan, Beals & Thomas, Inc.
Dean Smith, Borrego Solar Systems, Inc.
Zack Fargus, Borrego Solar Systems, Inc.

Mr. Pichette described the project. The property is located at 27 Charge Pond Rd. The project involves the installation of a solar array w/in the buffer zone to BVW & isolated wetlands. The land is 44 acres of mixed pine forest. He has not walked the wetland delineations yet & the Town's engineer is currently reviewing the project. A DEP file number has been assigned. He recommended a continuance.

Ms. Minehan discussed that the property abuts the Parker Mills Pond, various wetlands on the site & five potential vernal pools. There will be approx. 30,078 panels on site.

MOTION: Ms. Heard moved to continue the public hearing for Borrego Solar Systems, Inc. to July 15, 2020. Mr. Hall seconded.

VOTE: Unanimous (6-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – Town of Wareham – 0 North Boulevard

Present before the ConCom: Dave Menard, Municipal Maintenance Director
Bob Rogers, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 0 North Boulevard. He noted the revised plans dated 6/16/20. The project involves clearing vegetation & removal of dead/diseased trees. It was found that more significant work is proposed, such as all the underbrush for the entire site (over 2 acres) is subject to clear-cutting. The revised plan reflects this work. He feels there is more work involved than can be covered under an RDA & a positive determination should be issued & an NOI should be submitted for the project.

Mr. Rogers discussed the intent of the project, which does not include clear-cutting, no ground disturbance, no resource area impacts & the level of work to be done. Mr. Pichette responded to Mr. Rogers' comments.

Mr. Pichette read the 11 plan notes into the record. Lengthy discussion ensued re: several of the notations & the intent & scope of the project.

Present before the ConCom: Lisa Morales

Ms. Morales concurs the property needs to be cleaned up, but there should never be blanket approval for clearing in a no touch zone or a coastal bank. There is glass on the top which will require soil removal. Parking has not been addressed. She feels an NOI is required.

Present before the ConCom: Candice Kraft

Ms. Kraft expressed concern re: attracting more undesirables to this site than already exists & clear-cutting. More parking isn't wanted.

Present before the ConCom: Leslie Pritchard

Ms. Pritchard concurs the site needs work & the site shouldn't be clear-cut.

Present before the ConCom: Joanne Levine

Ms. Levine expressed concern re: clear-cutting trees.

Mr. Pichette reiterated his position based on the notes on the plan. Discussion continued re: several notes on the plan & how the notes can be modified or formally changed.

Mr. Menard stated he would like to withdraw the application at this time, regroup & come back w/ a better perspective.

Ms. Morales understands there are portions of the site not under the ConCom's purview. She feels that work on these portions of the site can be done w/out ConCom approval. Mr. Pichette concurred. Ms. Kraft concurred w/ Ms. Morales. She would like more clear photos of what is being proposed & where.

MOTION: Ms. Heard moved to continue the public hearing for Town of Wareham to July 15, 2020. Mr. Hall seconded.

VOTE: Unanimous (6-0-0)

B. RDA – Repurpose Properties, c/o JC Engineering, Inc. – 5 Cliff Avenue

The applicant has requested a continuance.

MOTION: Ms. Heard moved to continue the public hearing for Repurpose Properties to July 15, 2020. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

VI. EXTENSION REQUESTS
VII. ENFORCEMENT ORDERS

A. Ken Keegan – 35 East Boulevard

No-one was present representing this matter.

Mr. Pichette updated the ConCom on multiple violations at this site resulting in said Enforcement Order. Fines will be issued at this point. The owner/applicant has chosen not to be involved w/ meetings on these issues. Discussion ensued re: fines to be issued.

B. Boone Ferry – 16 Jobs Island Road

Present before the ConCom: Boone Ferry

Mr. Ferry stated he has hired an engineer to deal w/ the matter.

VIII. CERTIFICATES OF COMPLIANCE

A. Nancy James, Trustee – 22 Allen Avenue

Mr. Pichette has more information to review.

B. Steven Caradimos – 37 Prospect Street

Present before the ConCom: Steven Caradimos

Mr. Pichette stated the wall has been rebuilt more in compliance w/ the plan. He spoke re: issues w/ plantings not approved. Mr. Caradimos stated beach grass is still there growing through the mulch. Mr. Pichette stated it was supposed to be a beach grass slope. He suggested continuing this matter so ConCom members can go look at the site & discuss it at the next meeting. The ConCom members concurred.

C. J Donegan Co. – 2419 & 2427 Cranberry Highway – Wareham Market Place

Mr. Pichette stated the project has been completed in compliance w/ the OOC. He recommended the issuance of a COC.

MOTION: Ms. Heard moved to grant a Certificate of Compliance for J. Donegan Co. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE

A. Discussion: Reorganization

MOTION: Ms. Heard nominated Ms. Slavin as Chair of the ConCom. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

B. Discussion: Next meeting dates

ConCom members concurred to keep holding Zoom meetings going forward.

C. Discussion: Appointments/Reappointments

D. Discussion: Conservation Restriction/Stewardship

E. Discussion: Bills

MOTION: Ms. Heard moved to approve an invoice from the MACC re: annual dues in the amount of \$200.00. Mr. Lassen seconded.

VOTE: Unanimous (6-0-0)

NOTE: Mr. Pichette updated the ConCom on his discussion w/ the Buzzards Bay Coalition re: their request to remove the silt fence at the Onset Bay Center & possibly putting up a type of garden fence for stabilization. Brief discussion ensued.

X. ADJOURNMENT

MOTION: Mr. Lassen moved to adjourn the meeting. Mr. Smith seconded.

VOTE: Unanimous (6-0-0)

Date signed: 7/22/2021

Attest: Sandy Slavin

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Wareham Town Clerk: _____