

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: October 19, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 7:03 P.M.

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
Sandy Slavin
Joe Leggett
Jim Smith
Elizabeth Lydon
Elissa Heard (Arrived at 7:07 P.M.)
Mary Taggart
Dave Pichette, Agent

Member Absent: Mark Carboni, Associate
Donald Rogers, Associate

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: April 6, 2016.

MOTION: Ms. Slavin moved to approve the meeting minutes of April 6, 2016 as amended. Mr. Leggett seconded.

VOTE: (5-1-0)

IV. PUBLIC HEARINGS

A. RDA – Hamilton Beach Association

Present before the Commission: President of Hamilton Beach Association

The project site is lot 1051 off Pilgrim Avenue. This project is to install an osprey nesting site in the marsh off the road. This is to replace an osprey nest that was recently removed from an Eversource pole. There will be a 3'x3' platform area. Mr. Pichette recommended the issuance of a Negative #2 Determination.

MOTION: Ms. Slavin moved to close the public hearing for Hamilton Beach Association. Ms. Lydon seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Hamilton Beach Association. Ms. Lydon seconded.

VOTE: Unanimous (7-0-0)

B. RDA – Paul Webber, c/o Collins Civil Engineering Group, Inc.

Present before the Board: _____

A site inspection was made at 269 Cromesett Road. The project involves upgrading a septic system within a coastal flood zone. An existing septic system is to be replaced with a new Title V system in coastal flood zone AE, el 16. The work is not in the buffer zone to any other resource areas. There will be some minor grading around the new leach field. Mr. Pichette recommended the issuance of a Negative Determination #2.

MOTION: Ms. Slavin moved to close the public hearing for Paul Webber. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Paul Webber. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

C. RDA – Bayside Agricultural, Inc., c/o G.A.F. Engineering, Inc.

Present before the Commission: Brian Grady, G.A.F. Engineering, Inc.

The project site is at 77 Charlotte Furnace Road. The purpose of the application is for the Commission to determine whether the project is within its jurisdiction. Mr. Pichette recommended the Commission issue a Negative #1 and #5 Determination and that the project does not fall beneath its jurisdiction.

MOTION: Ms. Slavin moved to close the public hearing for Bayside Agricultural, Inc. Ms. Lydon seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant a Negative #1 and #5 Determination to Bayside Agricultural, Inc. and further, this is not covered under any Commission Wetland By-Laws. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

D. RDA – Jay Jones, c/o G.A.F. Engineering, Inc.

Present before the Commission: Brian Grady, G.A.F. Engineering, Inc.

The project is located at 14 and 16 Shanley Way in Onset. The project involves placing existing decking and hand rails on a dock on location. Mr. Pichette recommended the approval of the project with a Negative #2 Determination.

MOTION: Ms. Slavin moved to close the public hearing for Jay Jones. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Jay Jones. Mr. Smith seconded.

VOTE: Unanimous (7-0-0)

E. NOI – Ronald & Lois Enos/Eighteen Burgess Point Realty Trust, c/o G.A.F. Engineering, Inc.

NOTE: The meeting has been continued until November 2, 2016.

F. NOI – Bay Trust, c/o Dudley Darling – SE76-2409

Present before the Commission: Dudley Darling

A site inspection was made at 54 Winship Avenue. The project involves repairs to an existing stone wharf/pier within land under the ocean, within land containing shellfish, and within a coastal flood zone. An existing stone pier has had some of the stone fall away from the structure and the proposal is to reset the stone and patch the stone wharf with concrete as needed. The portion of the structure that will be repaired is 8'x20' in size. A small machine will be used to move some of the stone back into place. The machine would be transported to the location on a floating barge and would operate from the barge. Other work would involve replacing stone by hand and mortaring stone into place. Some additional stone would also be brought in to fill voids. Work will have to be done during the lower tidal range. A DEP file # was received for the project. Comments have been received from the MA Division of Marine Fisheries. They recommend that the footprint not be expanded upon and that the work be done from upland areas where possible...these are all things that are already being proposed. Mr. Pichette recommended the issuance of an Order of Conditions with standard conditions and the added conditions that the barge not ground at low tides and be moved out during low tides.

MOTION: Ms. Slavin moved to close the public hearing for Bay Trust. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions and the additional conditions that work be done from a barge and by hand and that the barge not ground at low tides and be moved out during low tides for Bay Trust.

VOTE: Unanimous (7-0-0)

G. NOI – MA Department of Transportation, c/o Tetra Tech

Present before the Commission: Brian Cordeiro, MassDOT
Ed. Hutchison, Tetra Tech
Matt _____, Tetra Tech

A site inspection was made along Route 495 and Route 25. The project involves the installation of stormwater improvements along a portion of Route 25 between Tihonet Road and Charge Pond Road in the buffer zone to bordering vegetated wetland and cold planing and resurfacing a portion of Route 495. Leaching galleys are to be installed in several locations to improve stormwater quality from highway runoff that ultimately flows to Parker Mills Pond. The leaching galleys will be installed to take runoff from existing catch basins that currently discharge stormwater to areas in close proximity to wetlands and waterbodies. Two infiltration basins 35x80' in size would also be installed within the center island between the east and west bound lanes to handle runoff. These infiltration basins would have overflow spillways that would direct water to the water body if flows were significant. Catch basins in the area would also be reconstructed. Also infiltration swales would be constructed in two locations to help treat stormwater prior to flowing into the wetland area adjacent to the highway. Compost filter tubes are proposed for erosion control. Mr. Pichette recommended staked hay bales be used on steeper slopes. A DEP file # has not been received. Mr. Pichette recommended a continuance for the DEP file #.

MOTION: Ms. Slavin moved to continue the public hearing for MA Department of Transportation to November 2, 2016. Ms. Lydon seconded.

VOTE: Unanimous (7-0-0)

H. NOI – Theodore Williams, c/o Webby Engineering, Inc. – SE76-2410

Present before the Commission: Joe Webby, Webby Engineering, Inc.

A site inspection was made at 7 Spectacle Pond Road. The project involves upgrading a septic system within the buffer zone to bordering vegetated wetland (BVW). An existing septic system is to be replaced with a new Title V system 59' from the edge of the BVW. The work does involve regrading several areas as shown on the plan. Hay bales will be installed between the work and the BVW. A DEP file # has been received. Mr. Pichette recommended the issuance of an Order of Conditions with the standard conditions.

MOTION: Ms. Slavin moved to close the public hearing for Theodore Williams. Mr. Smith seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions for Theodore Williams. Mr. Smith seconded.

VOTE: Unanimous (7-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – Richard Brodney, c/o GS Design Group

Present before the Commission: George _____, GS Design Group

A site inspection was made at 28 Cleveland Avenue. The project involves the construction of an addition within a coastal flood zone. A 10x22' addition is proposed partially over existing decks within flood zone AE, el 15. The addition will require the installation of a new 5x5' footing. The work is not in the buffer zone to any other resource areas. No grade changes are proposed. The hearing was continued because the applicant did not have the green cards for the abutter notification previously. Mr. Pichette recommended the approval of the project with a Negative Determination #2.

MOTION: Ms. Slavin moved to close the public hearing for Richard Brodney. Ms. Lydon seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Richard Brodney. Ms. Lydon seconded.

VOTE: Unanimous (7-0-0)

B. RDA – Peter & Laurie Andrews, c/o Braman Surveying & Assoc., LLC

The applicant has requested a continuance to November 2, 2017.

MOTION: Ms. Slavin moved to continue the public hearing for Peter & Laurie Andrews to November 2, 2017. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

C. NOI – Perched, Inc., c/o N. Douglas Schneider & Associates, Inc. – SE76-2408

Present before the Board: Dave Davignon, Schneider & Associates

A site inspection was made at lot 1002, 1004, 1036, & 1038 off of Great Neck Road. The project involves the construction of a single family dwelling, driveway, and dog kennel building in the buffer zone to bordering vegetated wetland (BVW) and coastal bank, within riverfront area, and within a coastal flood zone. The project site is also within the estimated habitat of rare and endangered species. A 26x45' dwelling with associated septic system, grading, and driveway is proposed within the buffer zone to a coastal bank and BVW, within riverfront area, and within the coastal flood zone, as el 14. A 30x42' dog kennel building is also proposed within the buffer zone to BVW, partially within the riverfront area, and within the coastal flood zone. The driveway into the site also involves a small wetland crossing as shown on the plan. The wetland is a drainage ditch that connects wetland areas. At the last meeting, work was proposed in the riverfront area and the applicant has submitted revised plans showing less work in the riverfront area. The construction of the house, landscaping, or secondary buildings should be taken out of the riverfront area completely. Mr. Pichette recommended a further revision. The applicant feels they are well within compliance of the Conservation Commission standards.

MOTION: Mr. Leggett moved to close the public hearing for Perched, Inc. Ms. Slavin seconded.

VOTE: Unanimous (7-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions as presented on the revised plan dated October 18, 2016. Mr. Leggett seconded.

VOTE: Unanimous (7-0-0)

D. NOI – Erin & Michael Schaaf, c/o G.A.F. Engineering, Inc.

The applicant had requested a continuance to November 2, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Erin & Michael Schaaf to November 2, 2017. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

E. NOI – Frank Adrean, Nanumett Shores Improvement Assoc., c/o G.A.F. Engineering, Inc.

The applicant has requested a continuance to November 2, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Frank Adrean, Nanumett Shores Improvement Assoc. to November 2, 2016. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

VI. EXTENSION REQUESTS

A. Tridib K. Roy/Billy Avilla – 200 Blackmore Pond Road – SE76-2244

Mr. Pichette explained this is an extension to request completing an earthen dam.

MOTION: Ms. Slavin moved to grant a one year extension for Tridib K. Roy/Billy Avilla. Ms. Heard seconded.

VOTE: Unanimous (7-0-0)

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

IX. ANY OTHER BUSINESS/DISCUSSION

- A. Discussion: Tree Cutting Policy**
- B. Discussion: Conservation Restriction/Stewardship**
- C. Discussion: Bills**
- D. Discussion: Appointments**

X. ADJOURNMENT

MOTION: A motion was made and seconded to adjourn the meeting.

VOTE: (7-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____