

## **MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION**

**Date of Meeting: November 7, 2018**

### **I. CALL MEETING TO ORDER**

The meeting was called to order at 7:00 P.M.

### **II. ROLL CALL**

Members Present: Sandy Slavin, Chair  
Ken Baptiste  
Joe Leggett  
Mary Taggart  
Jim Smith  
Bob Lassen  
David Pichette, Agent

Members Absent: Mark Carboni, Alternate member  
Elissa Heard

### **I. NOTE: The meeting proceeded w/ item IX. Any Other Business/discussion and/or Vote.**

#### **A. Discussion: Guy Campinha – WPCF**

Present before the ConCom: Guy Campinha, WPCF Superintendent

Mr. Campinha discussed a proposed 21 inch gravity pipe from Swifts Beach Road to the Narrows pump station. There is a sensitive land (marsh & wetlands) area behind the high school where the pipe would go. He discussed the lining of the pipe & what they will be doing w/ the project. He stated there is a 25 ft. easement that hasn't been maintained & grasses will be cut in this easement for the project. He discussed the timeframe & schedule of the project.

Brief discussion ensued re: the project.

### **II. PRELIMINARY BUSINESS**

#### **A. Approve meeting minutes: July 18, 2018 & August 1, 2018**

To be handled later in the meeting.

**NOTE: The meeting proceeded w/ item IV. Continued Public Hearings.**

**A. RDA – Carl Schulz**

The applicant has requested a withdrawal of this request.

**MOTION: Mr. Baptiste moved the ConCom accept the RDA withdrawal of Carl Schulz. Mr. Leggett seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Lassen moved to close the public hearing for Carl Schulz. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**B. NOI – Southcoast Hospitals Group, Inc. – SE76-2497**

The applicant has requested a continuance to December 5, 2018.

**MOTION: Mr. Leggett moved to continue the public hearing for Southcoast Hospitals Group, Inc. to December 5, 2018. Mr. Lassen seconded.**

**VOTE: Unanimous (6-0-0)**

**NOTE: The meeting proceeded w/ item VII. Certificates of Compliance.**

**C. John Decas – Burgess Point Road**

Present before the ConCom: John Powell, SITEC

Mr. Powell stated he understands an as-built has been submitted for the COC.

Mr. Pichette stated the project was for the construction of a subdivision roadway in the Burgess Point area. The project has been completed. The ConCom had issued a partial COC earlier to release some of the lots. The road as-built has now been submitted. He recommended the issuance of a COC for this project.

**MOTION: Mr. Baptiste moved to grant a Certificate of Compliance for John Decas – Burgess Point Road. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**III. PUBLIC HEARINGS**

**A. RDA – Nicholas Connolly**

The public hearing notice was read into the record.

Present before the ConCom: Nicholas Connolly

Mr. Connolly submitted the green abutter cards.

Mr. Pichette described the project. The property is located at 5 Sandy Road. The project involves constructing a dwelling on an existing foundation in the buffer zone to a coastal bank. This site had a previous OOC for the construction of a single family dwelling. The foundation for the dwelling was installed, but the project was never completed. The current owner bought the site & is now looking to build on the existing foundation. The septic system had also been installed previously. The septic system was outside the buffer zone to the wetland. A concrete block retaining wall was also installed between the house & the road to contain the fill material around the foundation. There is no further excavation that would be needed w/ the possible exception of utility trenching. The coastal bank is on the other side of the road from the dwelling location. There are several old boats, a camper & other debris that would need to be cleaned off the site. The owner is in the process of having those removed. He recommended the issuance of a Negative Determination #3 for the work.

**MOTION: Mr. Leggett moved to close the public hearing for Nicolas Connolly. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Leggett moved to grant a Negative Determination #3 for Nicolas Connolly. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

#### **B. RDA – Elizabeth Flynn**

The public hearing notice was read into the record.

Present before the ConCom: Elizabeth Flynn  
Patio Enclosures Representative

Mr. Flynn stated he did not have the green abutter notifications.

Mr. Pichette described the project. The property is located at 3 Quasnet Avenue. The project involves the construction of an addition w/in a coastal flood zone. A 12x14 ft. sunroom addition is proposed w/in coastal flood zone AE, el. 14. The project is not in the buffer zone to any other resource areas. The sunroom would be supported on sonotube footings. The site is flat & there are no grade changes proposed. Work is to be done by hand. He recommended the issuance of a Negative Determination #2 for the project.

**MOTION: Mr. Leggett moved to continue the public hearing to December 5, 2018 to await the abutter notifications. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

### **C. RDA – Christine Barboza**

The public hearing notice was read into the record.

Present before the ConCom: Christine Barboza

Mr. Pichette described the project.

Ms. Barboza submitted the green abutter cards.

Mr. Pichette described the project. The property is located at 36 Osbourne St. in the Rose Point area. The project involves the construction of a shed, carport & roof over the existing deck in the buffer zone to the coastal bank, w/in riverfront area, & w/in a coastal flood zone. A 10x16 ft. shed is proposed 50 ft. from the top of the coastal bank which is a seawall at this location. A 20x24 ft. carport is proposed over the existing gravel driveway 40 ft. from the top of the CB. This will be supported on six sono-tube footings. He asked if a concrete slab would need to be installed for the carport. A roof is proposed over the existing 8x15 ft. deck which will also require the installation of sono tubes. The site is relatively flat & there are no grade changes proposed other than to level the carport area. He recommended the issuance of a Negative Determination #2 for the project.

Mr. Leggett noted he would like to see the landscape fabric taken out. Ms. Barboza stated that was there prior to her moving there. She doesn't know how deep or how much is there. She stated she will try to cut it & take it out.

**MOTION: Mr. Leggett moved to close the public hearing for Christine Barboza. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Leggett moved to grant a Negative Determination #2 for Christine Barboza. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

### **D. RDA – Kevin P. Grant, c/o G.A.F. Engineering, Inc.**

The public hearing notice was read into the record.

Present before the ConCom: Brian Grady, G.A.F. Engineering, Inc.  
Kevin Grant

Mr. Pichette described the project. The property is located at 1 Reynolds Ave. in the Hamilton Beach area. The project involves renovations to a dwelling in the buffer zone to a coastal dune/coastal beach & w/in a coastal flood zone. It is proposed to take the roof off of the existing 28x32 dwelling & raise it to create attic space for the dwelling. Some additional roof area 8x9 ft. in size will be incorporated into the reconstruct to provide roof coverage over the basements steps. The new roof area will cover the basement steps & a

portion of the existing block patio. This new roof area is w/in the 30 ft. no activity zone, but is over existing features. A support post will be installed on the existing concrete wall to carry the additional roof area. Drywells are proposed to be installed to handle roof runoff from the dwelling. They will be between the house & Reynolds Ave. Any excess material from installing the drywells will be removed from the site. He recommended the issuance of a Negative Determination #2 for the project.

**MOTION: Mr. Baptiste moved to close the public hearing for Kevin Grant. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Baptiste moved to grant a Negative Determination #2 for Kevin Grant. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**E. NOI – Nancy Libardoni, McKinnon & Keese Engineering – SE76-2515**

The public hearing notice was read into the record.

Present before the ConCom: Sandy Keese, McKinnon & Keese Engineering  
Nancy Libardoni

Mr. Pichette described the project. The property is located at 30 Lakeview Dr. The project involves upgrading a septic system at this location in the buffer zone to Agawam Mill Pond. It is proposed to install two tight tanks at the site to replace the existing cesspool. The tanks would be 75 ft. from the edge of the pond between the house & the road. There was previously an approved Title V system proposed for the site. Haybales will be installed between the work & the resource areas. The site is relatively flat & there are no grade changes proposed. He asked if this project has been approved by the Board of Health. Groundwater is very close to the surface. Dewatering will likely be needed. A haybale containment is shown on the plan. Any excess material will be removed from the site. A DEP file number has been received for the project. He recommended a continuance until the Board of Health approves the project.

Ms. Keese stated the Board of Health has approved this system. She spoke re: the previous design for a Title V de-nitrofication system & only one contractor got back to her at the tune of \$80,000. It fit on paper, but not in reality. The tight tank is doable & comes under Title V as an alternative system. It is an alarmed system. She discussed the multiple contracts involved w/ this type of system. Brief discussion ensued.

**MOTION: Mr. Leggett moved to close the public hearing for Nancy Libardoni. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Leggett moved to grant an OOC w/ standard conditions for Nancy Libardoni. Mr. Baptiste seconded.**

**VOTE: Unanimous (6-0-0)**

**IV. CONTINUED PUBLIC HEARINGS**

**A. RDA – Carl Schulz (DONE)**

**B. NOI – Southcoast Hospitals Group, Inc. – SE76-2497 (DONE)**

**C. NOI – Cape Cod’s Maple Park Campground, c/o G.A.F. Engineering, Inc. – SE76-2510**

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

Mr. Pichette stated he was awaiting the letter from Natural Heritage which has been received. The letter made no negative comments on the project. The project involves the installation of water main pipe in the buffer zone to BVW & w/in the riverfront area of the Agawam River. Approx. 800 ft. of water main pipe will be installed from where the road crosses the Agawam River to the campground headquarter area. A 5x8 ft. concrete vault w/ valves & meter pit will be installed in the road area. Silt fence is proposed along the edge of the road for the length of the pipe installation. A DEP file number has been received. He recommended the issuance of an OOC w/ standard conditions.

**MOTION: Mr. Leggett moved to close the public hearing for Cape Cod’s Maple Park Campground. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Leggett moved to grant an OOC to Cape Cod’s Maple Park w/ standard conditions & the added condition that silt fence be used. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**D. NOI – Glenn Priolo, c/o G.A.F. Engineering, Inc. – SE76-2514**

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

Mr. Pichette described the project. The property is located at 6 Preservation Lane. The project involves the construction of a single family dwelling, site work, installation of utilities in the buffer zone to BVW & w/in a coastal flood zone. A 30x50 ft. dwelling is proposed w/in coastal flood zone VE, el. 18 w/ partial site work w/in the buffer zone to BVW. The dwelling is proposed to be on Town sewer & water. The sewer tie in would require the installation of 380 ft. of gravity sewer line & two manholes w/in Preservation Lane & 550 ft. of force main to come from the house to the new manhole on Preservation Lane. A DEP file number has been received. He recommended approval of the project w/ standard conditions & the added conditions re: dewatering & haybales & silt fence for erosion control.

**MOTION: Mr. Leggett moved to close the public hearing for Glenn Priolo. Mr. Lassen seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Leggett moved to grant an OOC to Glenn Priolo w/ standard conditions & the added conditions dealing w/ dewatering & use of haybales & silt fence. Ms. Taggart seconded.**

**VOTE: Unanimous (6-0-0)**

**E. NOI – Lynda Morotta, c/o JC Engineering, Inc. – SE76-2513**

Mr. Pichette stated the engineer could not attend this evening. The ConCom was awaiting a DEP file number that has since been received.

Mr. Pichette described the project. The property is located at 261 Glen Charlie Road. The project involves site work associated w/ the construction of a single family dwelling in the buffer zone to BVW. The dwelling has already been constructed & is outside the buffer zone to the BVW. The owner now wants to clear some land in the buffer zone to create some yard area. The project calls to clear trees in the buffer zone, regrade the area, then loam & seed. The clearing is proposed up to the 30 ft. no activity line. Haybales & silt fence are proposed between the work & the resource area. He had previously expressed concern for the time of year to do this work & recommended it be done in the spring or incorporate some slope stabilization. The applicant stated they would be ok w/ a restriction of time on the work & do it in the spring. A DEP file number has been received. He recommended approval of the project w/ standard conditions & the project be done in the spring & low nitrogen be used.

**MOTION: Mr. Leggett moved to close the public hearing for Lynda Morotta. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**MOTION: Mr. Leggett moved to grant an Order of Conditions for Lynda Morotta w/ standard conditions & the added conditions that the project be done in the spring & low nitrogen be used. Mr. Baptiste seconded.**

**VOTE: Unanimous (6-0-0)**

**NOTE: Brief discussion ensued re: incorporating use of low nitrogen fertilizers into the standard conditions.**

**MOTION: Mr. Leggett moved to incorporate the use of low nitrogen fertilizers & the requirements for filing a Certificate of Compliance into the standard conditions. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**V. EXTENSION REQUESTS**

**A. Hill Financial Co. – Minot Avenue**

Mr. Pichette stated this was a wetland boundary approval back in 2014. Normally it is good for three years. The applicant has already received one extension & is asking for another one year extension. Brief discussion ensued re: the site.

**MOTION: Mr. Leggett moved to grant the extension request for wetland delineation for one year to Hill Financial Co. – Minot Ave. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**I. NOTE: The meeting went back to item III. Preliminary Business.**

**A. Approve meeting minutes: July 18, 2018 & August 1, 2018**

**MOTION: Mr. Baptiste moved to approve the meeting minutes of July 18, 2018. Mr. Smith seconded.**

**VOTE: (6-0-0)**

**MOTION: Mr. Leggett moved to approve the meeting minutes of August 1, 2018. Mr. Smith seconded.**

**VOTE: (5-0-1)**

**Mr. Baptiste abstained**

**VI. ENFORCEMENT ORDERS**

**VII. CERTIFICATES OF COMPLIANCE**

**A. Pine Grove Estates, LLC – 10 Jonathon Road**

Mr. Pichette stated there are some outstanding matters w/ this, so he requested the ConCom hold off on voting at this time.

**B. John Decas – Burgess Point Road (DONE)**

**VIII. ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE**

**NOTE: Mr. Pichette stated a letter was received from the Buzzards Bay Project wanting to do a project in Town to monitor salt marsh loss. They need to install monitoring stations. They**



would file an RDA. They wanted to see what the ConCom's support for this would be. Mr. Pichette feels the information garnered would be beneficial. He recommended the ConCom support this effort. The consensus of the ConCom was supportive.

Mr. Pichette stated that the Buzzards Bay Coalition has several projects going on, one of which is the Wickets Island project. Part of this project was dealing w/ invasive species on the island. This has been addressed. Now there is a lot of dead bittersweet vine there which is outside the perimeter activity. The BBC is asking to knock down the dead bittersweet vine to grow some native species there & seed it. They want to weedwhack or brushhog just where the bulk of the bittersweet existed. This is outside the limit of work that the ConCom approved. The ConCom needs to figure out how to get this amended. Discussion ensued how to proceed. The consensus of the ConCom was to leave it up to the discretion of Mr. Pichette.

Mr. Pichette discussed the BBC project re: the Onset Bath House. This project is going to start shortly. One of the OOC conditions was to not have machinery on the beach. For a small period of time, they are going to need a crane to move steel beams for the building. There are two places to operate the crane from (front of beach or on the bluffs). The consensus of the ConCom was not to have the crane on the bluffs, but instead use the beach & to require an Amended OOC.

- A. Discussion: Guy Campinha – WPCF (DONE)**
- B. Discussion: Enos/Winship, LLC – Burgess Point**
- C. Discussion: Draft Conditions**
- D. Discussion: Reappointments**
- E. Discussion: Conservation Restriction/Stewardship**
- F. Discussion: Bills**

## **IX. ADJOURNMENT**

**MOTION: Mr. Leggett moved to adjourn the meeting at 8:15 P.M. Mr. Smith seconded.**

**VOTE: Unanimous (6-0-0)**

**Date signed: \_\_\_\_\_**

**Attest: \_\_\_\_\_**

**Sandy Slavin, Chair**

**WAREHAM CONSERVATION COMMISSION**

**Date copy sent to Town Clerk: \_\_\_\_\_**