

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: July 20, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 7:07 P.M.

II. ROLL CALL

Members Present: Kenneth Baptiste, Chairman
Joe Leggett
Sandy Slavin (Departed at 8:15 P.M.)
Jim Smith
Elizabeth Lydon
Mary Taggart, Associate member
Elissa Heard, Associate member
Dave Pichette, Agent

III. PRELIMINARY BUSINESS

Approve meeting minutes: January 6, 2016 & January 20, 2016

MOTION: Ms. Lydon moved to approve the meeting minutes of January 6, 2016 and January 20, 2016 as amended. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

IV. PUBLIC HEARINGS

A. RDA – Parkwood Beach Association, c/o Suzanne Burke

Present before the Commission: No one was present

The public hearing notice was read into the record.

A site inspection was made at Parkwood Beach. The project involves the placement of beach sand on Parkwood Beach. The Association is requesting permission to place 15 yds. of beach sand on their main beach. All the sand would be placed on the upland portion of the beach. The sand would be spread by hand. The sand would be of a compatible grain size with the existing beach sand. A sieve analysis would be done to match the sand. Mr. Pichette recommended the issuance of a Negative Determination #2 with the requirement of the sieve analysis prior to the placement of the sand.

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

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to approve the project with a Negative #2 Determination with the condition that the Association provide a sieve analysis before the sand is placed on the beach for Parkwood Beach Association. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

B. RDA – Evan Watson/Prime Engineering, Inc.

Present before the Commission: Rich Rheume, Prime Engineering, Inc.

The public hearing notice was read into the record.

A site inspection was made at 260 County Road. The applicant is requesting that the Commission make a determination that the proposed site for a solar field project is not within jurisdictional areas of the Wetlands Protection Act or Wareham Wetlands Protective By-Law and that the wetland boundaries are accurately delineated. The site is the location of County Road Recycling. The location of the proposed solar panels is at the east end of the property in the general location of their previous shell pile area. The wetland was marked with flags a1-a20. The edge of the river was also marked, as there is a brook which runs along the rear of the property. Mr. Pichette reviewed the wetland delineations and he feels a few changes are needed to be made. The revised plan presented at the meeting does show the proposed changes. Mr. Pichette recommended the approval of the revised plan.

MOTION: Ms. Slavin moved to close the public hearing for Evan Watson. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to approve the project as not being in the jurisdictional areas of the Wetlands Protection Act and to approve the wetland boundaries as shown on the new plan dated July 20, 2016 for Evan Watson. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

C. RDA – Steven A. King

Present before the Commission: No one was present

MOTION: Ms. Slavin moved to table the hearing for Evan Watson. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Lydon moved to un-table the hearing for Evan Watson. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

The public hearing notice was read into the record.

The hearing was un-tabled without the applicant present.

A site inspection was made at 12 Riplah Road. The site is in the RLDS Campgrounds. The project involves the construction of an addition in the buffer zone to a coastal bank. A 7x10' covered porch at the corner of the existing dwelling is to be enclosed. This will require a foundation. The area is flat and there are no grade changes proposed. The area to be enclosed is currently utilized as outdoor storage space. The work would be 60' from the top of the coastal bank. Mr. Pichette recommended the issuance of a Negative Determination #3 for the project.

MOTION: Ms. Slavin moved to close the public hearing for Steven A. King. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant a Negative #3 Determination for Steven A. King. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

D. RDA – James Rawlings. c/o G.A.F. Engineering, Inc.

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

The public hearing notice was read into the record.

A site inspection was done at 0 Cranberry Highway. The project involves receiving the Commission's approval that there are no wetlands on the site, as appear on the MASS GIS. Mr. Pichette recommended a Negative Determination #1 & #6 for this project.

MOTION: Ms. Slavin moved to close the public hearing for James Rawlings. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant a Negative #1 & #6 Determination for James Rawlings. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

E. NOI – Janet Cooke, Trustee & Howard Whiteside, c/o LEC Environmental Consultants, Inc.

Present before the Commission: S. Cheever, LEC Environmental
J. Whiteside

The public hearing notice was read into the record.

A site inspection was made at 253 & 255 Great Neck Road. The project involves the replacement of an existing culvert under great neck road which would involve work in Bordering Vegetated Wetlands (BVW), a coastal flood zone, in riverfront area, salt marsh, and within the estimated habitat of rare and endangered species. An existing 6" 32' long clay culvert pipe is to be replaced with a new 8" 35' plastic culvert pipe in the same general location. The ends of the new pipe will be anchored by helical screw anchors to be installed by a hydraulic drill. It is also proposed to clean out the ditch on the outfall side by excavating out silt and nuisance vegetation that has accumulated over the years. This material is to be taken off site. It is proposed to do the work at a time when the pond level is below the pipe elevation, but there still may be a need to dewater or coffer dam the work area. Mr. Pichette recommended getting details on how this would be done. It is also proposed to add trap rock at the outfall end of the pipe. This would be in the salt marsh/beach area. Any trap rock area allowed should be limited to the smallest area possible. Planks or matts would be used on the edge of the ditch for the machine to traverse. There is no detail on the finished ditch slopes and stabilization methods. Comments have not been received from MA NHESP. No DEP file # has been received. Mr. Pichette recommended a continuance.

MOTION: Ms. Slavin moved to continue the public hearing for Janet Cooke, Trustee & Howard Whiteside to August 3, 2016. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

K.NOI – Brewer Onset Bay Marina, c/o G.A.F. Engineering, Inc.

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

The public hearing notice was read into the record.

A site inspection was made at Onset Bay Marina. The project involves the replacement of existing piles, decking, handrails, and joists of the existing pier structures within land under the ocean, within the coastal flood zone and within the estimated habitat of rare and endangered species. The application is to permit the replacement of deteriorated pilings at the facility as needed. There are 205 pilings at the marina, a number of which are older and may need replacing in the near future. The application is to get an Order of Conditions to allow pile replacement as conditioned by the board so that the marina is in compliance with the wetland laws to do pile replacement. Existing piles would be replaced with 12" greenheart pilings. Work would be done from a floating barge. Deck boards would also be replaced when needed. Some of the work has already been done. MA NHESP has not commented on the application at this

point. No DEP file # has been issued. Mr. Pichette recommended a continuance for comments from NHESP and for the DEP file #.

MOTION: Ms. Slavin moved to continue the public hearing for Brewer Onset Bay Marina to August 3, 2016. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

L.NOI – Kevin Oliveira, c/o G.A.F. Engineering, Inc.

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

The public hearing notice was read into the record.

A site inspection was made at 6 Recovery Road. The project involves the construction of a medical office building with associated parking and stormwater drainage structures in the buffer zone to Bordering Vegetated Wetlands (BVW). A 40'x100' medical office building is proposed 75' from the BVW. The wetland line was recently approved by the commission at this site under a separate ANRAD. Also proposed are parking areas, retaining walls, and stormwater drainage structures. The proposed limit of work is 50' from the edge of the BVW. Hay bales and silt fence will be placed along the limit of work line as shown on the plan. The project is being reviewed by the town's engineer. His review has not yet been completed. Mr. Pichette has concerns for steep slopes and how these will be stabilized on the wetland side of the retaining walls. Also no DEP file # has been received. Mr. Pichette recommended a continuance for the engineer's review and the DEP file #.

MOTION: Ms. Slavin moved to continue the public hearing for Kevin Oliveira to August 3, 2016. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – Onset Mobile Home Park

Present before the Commission: No one was present

The applicant has requested a continuance to August 3, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Onset Mobile Home Park to August 3, 2016. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Richard & Debra Beaulieu, c/o G.A.F. Engineering, Inc. – SE76-2389

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

The applicant has requested to withdraw the application without prejudice.

MOTION: Mr. Leggett moved to accept the application withdrawal for Richard & Debra Beaulieu. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

C. NOI – Keith Amado, c/o G.A.F. Engineering, Inc. – SE76-2393

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

The applicant has requested a continuance to August 3, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Keith Amado to August 3, 2016. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

D. NOI – Andrew Streit/SolBright Renewable Energy, LLC, c/o Goldsmith, Prest, & Ringwall, Inc. – SE76-2394

Present before the Commission: Robert Perry

The applicant has requested a continuance to August 3, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Andrew Streit to August 3, 2016. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

E. NOI – J. Donegan Company

Present before the Commission: Mark Wixted, Bohler Engineering
Zach Richards, Bohler Engineering

A site inspection was made at 2419 & 2427 Cranberry Highway. The project involves the construction of a commercial shopping center in the buffer zone to Bordering Vegetated Wetlands (BVW). A commercial shopping center with 46,000s.f. of building area for commercial and retail use, along with associated parking lots and stormwater structures are proposed 50' from the edge of the wetland. There will be several different buildings proposed with a grocery store, restaurants, and other commercial uses. The proposed work will be at least 50' from the edge of the wetland as required by the Town Wetland By-Law. Hay bales and silt

fence will be set up along the 50' set back line. Stormwater will be handled and contained on site with a stormwater treatment system that is proposed to meet the DEP stormwater standards. Peer review engineer Charles Rowley will be reviewing the proposed stormwater design and providing comments on the project. Mr. Rowley has commented on the project and has been corresponding with the project engineer on the referenced issues. A stormwater detention basin is proposed at the west end of the site as shown on the plan. There are also under pavement leaching structures proposed to handle some of the stormwater volume. 318 parking spaces are proposed. A DEP file # has been received for the project. Mr. Pichette recommended a continuance of the project for the engineering peer review results for the project.

MOTION: Mr. Leggett moved to continue the public hearing for J. Donegan Company to August 3, 2016. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

VI. EXTENSION REQUESTS

There were no extension requests at this time.

VII. ENFORCEMENT ORDERS

There were no enforcement orders at this time.

VIII. CERTIFICATES OF COMPLIANCE

A. Steve Doire – Barker Road

This Certificate of Compliance is currently on hold.

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Volunteers on Conservation Land

B. Discussion: Conservation Restriction/Stewardship

C. Discussion: Bills

D. Discussion: Appointments

X. ADJOURNMENT

MOTION: Ms. Lydon moved to adjourn the meeting at 8:18 P.M. Mr. Smith seconded.

VOTE: (4-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____