

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: July 3, 2019

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
Jim Smith
Robert Lassen
David Pichette, Agent

Members Absent: Elissa Heard
Mary Taggart
Mark Carboni, Associate

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

A. RDA – Scott & Tracey Denton

Present before the ConCom: Scott Denton

Mr. Pichette described the project. The property is located at Burgess Point. The project involves the removal of trees w/in a coastal flood zone & w/in the buffer zone to BVW. 12 trees are proposed to be removed on the conservation property owned by the Buzzards Bay Coalition. This is the property that recently was given approval to have large numbers of trees removed from the site for an ecological restoration project. At the last meeting, the hearing was continued because the abutters were not notified & to give ConCom members an opportunity to see the trees that will be removed. He feels some of the trees identified should not be allowed to be removed because they are right at the edge or w/in the wetlands. Others are not w/in that area & could be potentially removed. There was a significant amount of trees already removed from the site; a couple of acres worth. The ConCom holds a Conservation Restriction on the property & language in the restriction allows the ConCom to approve removal of trees due to certain factors, but not for removal of trees for view purposes.

Mr. Denton stated the original Buzzards Bay Coalition application discussed the remaining 25 % canopy. The canopy is really 50% vs. 25% where it is nearest his property. The original amount of trees to come down did not come down & that is why he is making this request.

Brief discussion ensued re: which trees are proposed to come down on the map.

Present before the ConCom: Mead Benhammer

Mr. Benhammer stated there was a written letter from the president of the Buzzards Bay Coalition submitted that the plan is consistent w/ the goals of the BBC for the property.

Ms. Slavin stated some of the trees are w/in wetlands. Mr. Denton depicted the trees on the map for the ConCom. Discussion ensued.

MOTION: Mr. Smith moved to close the public hearing for Scott & Tracey Denton. Mr. Lassen seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Lassen moved to grant a Negative Determination of #2 for the seven identified trees to be removed for Scott Denton. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

B. NOI – D.P., Jr. & Carolyn Higgins, c/o G.A.F. Engineering, Inc. – SE76-2549

Present before the ConCom: Bob Rogers, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 38 Winship Ave. The project involves the construction of an addition, garage, deck, driveway, septic work & drywells in the buffer zone to a coastal bank. A 12x40 ft. addition w/ a 17x28 screen porch is proposed 32 ft. from the top of the coastal bank. A 24x42 ft. garage is proposed 55 ft. from the top of the coastal bank. Drywells are proposed to handle roof runoff from the structure. The existing crushed shell driveway is proposed to be paved. Stormwater structures are proposed to handle runoff from the new impervious surface area. A DEP file number has been received w/ no negative comments. He recommended the issuance of an OOC w/ standard conditions & that haybales & silt fence be used for erosion control during construction.

MOTION: Mr. Lassen moved to close the public hearing for D.P., Jr. & Carolyn Higgins. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Lassen moved to grant an OOC w/ standard conditions w/ stipulation that trees be planted so they can grow properly & that haybales & silt fence be used for erosion control for D.P., Jr. & Carolyn Higgins. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

C. NOI – Gary Osmund, c/o G.A.F. Engineering, Inc. – SE76-2501

Present before the ConCom: Steven Kelliher, Kelliher Architects
Maureen Thomas, Buzzards Bay Coalition
Brian Grady, G.A.F. Engineering, Inc.

Brief discussion ensued re: most current plan version.

Mr. Pichette described the project. The property is located at 18 Maritime Dr. The project involves the demolition of an existing cottage & the construction of a new dwelling, garage, septic system, & grading in the buffer zone to a coastal bank, BVW & w/in a coastal flood zone. An existing cottage will be demolished & the existing paved area adjacent to the cottage is to be removed w/in the buffer zone & the flood zone, AE, elevation 15. A new 30x40 ft. dwelling w/ attached 24x24 garage is proposed. At previous meetings, discussion was held re: pushing the new construction further from the coastal bank. A recent plan revision shows this different configuration vs. the original plan. A DEP file number has been assigned.

Mr. Grady handed out pictures of the site which he described. He discussed the coastal bank(s) on the property & how the project as proposed complies w/ the Wetland Bylaw.

Ms. Thomas spoke of the net benefit to the environment this project will have, for example, the new septic system.

Mr. Kelliher read a letter into the record from an abutter in favor of the project.

MOTION: Mr. Lassen moved to close the hearing for Gary Osmund. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Lassen moved to grant an OOC w/ standard conditions & the added condition that a planting scheme be provided for approval prior to commencement of the project for Gary Osmund. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: May 15, 2019

To be handled later in the meeting.

IV. PUBLIC HEARINGS

A. RDA – Ralph Pickett

Present before the ConCom: Ralph Pickett

The public hearing notice was read into the record.

Mr. Pichette described the project. The property is located at 8 13th St. in Onset. The project involves the construction of foundation walls under an existing dwelling w/in a coastal flood zone. Work had already started on this project w/ no building permits or ConCom approval. The Building Inspector issued a stop work order. Materials have been excavated out from under the dwelling so that foundation walls could be installed as there were only pier supports on one side of the house. An engineered foundation detail has been submitted as part of the application showing a concrete block foundation to be constructed. This will be a crawl space. The site is w/in coastal flood zone AE, el. 14. The work is not in the buffer zone to any other resource areas. He questioned if there will be excess fill material & what will be done with it. He recommended approval of the project w/ a Negative Determination #2.

Mr. Pickett described how he took corrective action w/out a permit. The objective is to get the concrete block wall under the house. More digging is required.

MOTION: Mr. Baptiste moved to close the public hearing for Ralph Pickett. Mr. Lassen seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Baptiste moved to grant a Negative Determination #2 for Ralph Pickett. Mr. Lassen seconded.

VOTE: Unanimous (4-0-0)

V. CONTINUED PUBLIC HEARINGS

- A. RDA – Scott & Tracey Denton (DONE)**
- B. NOI – D.P., Jr. & Carolyn Higgins, c/o G.A.F. Engineering, Inc. – SE76-2549 (DONE)**
- C. NOI – Gary Osmund, c/o G.A.F. Engineering, Inc. – SE76-2501 (DONE)**

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

- A. John & Lisa Houser/John & Janet Sylvester – 3&5 Sias Point Road**

Present before the ConCom: Bob Rogers, G.A.F. Engineering, Inc.

Mr. Pichette stated this project was for a pier, ramp & float system that was approved. The project was built according to the plan. He recommended issuing the COC.

MOTION: Mr. Lassen moved to grant a COC for John & Lisa Houser & John & Janet Sylvester – 3 & 5 Sias Point Road. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

NOTE: The meeting continued w/ item III. Preliminary Business.

A. Approve meeting minutes: May 15, 2019

MOTION: Mr. Smith moved to approve the meeting minutes of May 15, 2019 as amended. Mr. Lassen seconded.

**VOTE: (3-0-1)
Mr. Baptiste abstained**

B. Robert Ferretti – 4 Pond View Terrace

Mr. Pichette explained this project was for the construction of a single family home at a subdivision off of Carver Road. This project has been completed according to the OOC. He recommended the issuance of a COC.

MOTION: Mr. Lassen moved to grant a COC for Robert Ferretti – 4 Pond View Terrace. Mr. Baptiste seconded.

VOTE: Unanimous (4-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE

A. Discussion: Reorganization

MOTION: Mr. Baptiste moved for Ms. Slavin to remain as Chair & Mr. Baptiste to remain as Vice Chair. Mr. Lassen seconded.

VOTE: Unanimous (4-0-0)

B. Discussion: Reappointments

C. Discussion: Conservation Restriction/Stewardship

D. Discussion: Bills

E. MACC Annual Dues FY2020

MOTION: Mr. Baptiste moved to pay invoice to MACC for Annual Dues for FY2020 in the amount of \$287.00. Mr. Lassen seconded.

VOTE: Unanimous (4-0-0)

NOTE: Ms. Slavin spoke re: a picture of a home on Highland Ave. she received. There is a walkway to the water, a boat sitting on the seagrass & the seagrass has been cut. Mr. Pichette will look at the property & have the homeowners come before the ConCom.

Brief discussion ensued re: when violation timeframes commence, daily fines & fines in general.

X. ADJOURNMENT

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

VOTE: Unanimous (4-0-0)

Date signed: _____

Attest: _____

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____