

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: September 7, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 7:02 P.M.

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
Sandy Slavin
Joe Leggett
Jim Smith
Elizabeth Lydon
Dave Pichette, Agent

Members Absent: Mark Carboni
Elissa Heard

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: March 2, 2016

These minutes were approved at the previous meeting.

IV. PUBLIC HEARINGS

A. NOI – Roger Gaydou, c/o Woodard & Curran

Present before the Commission: Alan Benevedis, Woodard & Curran
Jared Tunison, Tunison Environmental Consultants
Chris Piazza, Owner
Jan Wolverton, Wolverton and Himmelfarb

The public hearing notice was read into the record.

A site inspection was made at 418 County Road. The project involves the construction of a solar field in the buffer zone to bordering vegetated wetland (BVW). A 2.2 mw solar facility is proposed with the limit of work to be at least 50' from the edge of the BVW. The majority of the site is a previously disturbed area that had been used for sand removal. There will need to be some additional tree removal and regrading of the project area. Stormwater drainage is proposed for the project. The project is being reviewed by the Town Engineer who has submitted a comment letter on the project and has some recommended changes to the project. Changes regarding drainage structures have been recommended, there was a question as to whether the open space portion of the lot could be developed, and a request for landscape details. Also, the applicant had previously installed erosion

control at the site in anticipation of starting work at the site, but this will need to be replaced as the hay bales have rotted down at this point. A DEP file # has been received. Mr. Pichette recommended a continuance of the hearing to allow for plan revisions to meet the request of the Town Engineer and further, because the applicant did not have the green cards from the abutter notification.

MOTION: Ms. Slavin moved to continue the public hearing for Roger Gaydou to September 21, 2016. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Robert Kopecky, c/o Flaherty & Stefani, Inc.

Present before the Commission: Mark Flaherty, Flaherty & Stefani, Inc.

The public hearing notice was read into the record.

A site inspection was made at 4 Pond Edge Trail. The project involves tree clearing and landscaping in the buffer zone to bordering vegetated wetland (BVW), associated with the construction of a single family dwelling. A single family dwelling is proposed at this site and the tree clearing and landscaping will extend into the buffer zone to BVW at the site to within 57' of the BVW at its nearest point. The dwelling, septic system, driveway, etc. will be outside the buffer zone to the BVW. Erosion control will be placed along the limit of work line indicated on the plan. Hay bales and silt fence should be used for the project. A DEP file # has been received. Mr. Pichette recommended the issuance of the Order of Conditions with the standard conditions.

MOTION: Mr. Leggett moved to close the public hearing for Robert Kopecky. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions and the added condition that hay bales and silt fence be used for Robert Kopecky. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – Steve Tempini

Present before the Commission: Steve Tempini

A site inspection was made at 160 Pinehurst Dr. The project involves the construction of a shed in the buffer zone to a coastal bank and within a flood zone. A 10x20' shed is proposed 70' from the edge of a salt marsh/beach area and within a coastal flood zone. The shed would be supported by sono tube footings. All work would be done by hand and there are no grade

changes proposed. The site of the shed is currently lawn area. At the last hearing the hearing was continued due to abutters not having been identified. Mr. Pichette recommended the issuance of a Negative Determination #2 for the project.

MOTION: Mr. Leggett moved to close the public hearing for Steve Tempini. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Steve Tempini. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Kevin Oliveira, c/o G.A.F. Engineering, Inc. – SE76-2396

Present before the Commission: Bob Rogers

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 wetland (BVW). A 40x100' 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 hearing was continued because the Town Engineer was reviewing the project. The Town Engineer has made comments and a plan has been presented that reflects the changes. The building was raised by one foot to ensure that the building was above seasonal high water, the footprint has not changed. The retaining wall was squared to accommodate the dumpster. The entrance driveways were changed from 20' to 25' at request of the Fire Department. Mr. Pichette recommended the issuance of the Order of Conditions with the added condition for maintenance of the stormwater structures.

MOTION: Mr. Leggett moved to close the public hearing for Kevin Oliveira. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions with standard conditions and with the stipulation of the installment of hay bales and silt fence and the added condition for the maintenance of the stormwater structures as noted in the Notice of Intent for Kevin Oliveira. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

C. NOI – Douglas Bourgault/Cape & Islands Tire, c/o G.A.F. Engineering, Inc. – SE76-2400

Present before the Commission: No one was present.

The applicant has requested a continuance to September 21, 2016.

MOTION: Ms. Slavin moved to continue the public hearing for Douglas Bourgault/Cape & Island Tire to September 21, 2016. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

A. Walter Frigon – 169 Cromesett Road

Present before the Commission: Walter Frigon

Mr. Pichette had met with Mr. Frigon at the site due to a complaint of clearing being performed in wetlands and in the buffer zone to wetlands. The work did not have a valid Order of Conditions. Mr. Frigon stated he was under the impression he was responsible for clearing the property.

MOTION: Ms. Slavin moved to ratify the Enforcement Order for Walter Frigon – 169 Cromesett Road. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

B. Richard White – 11 Harborview Lane

Present before the Commission: Richard White

Mr. Pichette explained an Enforcement Order was issued due to clearing and a motor home placed on the site. There are also a number of motor vehicles on the site. Brief discussion ensued. The Commission asked for a Notice of Intent to be filed.

MOTION: Ms. Slavin moved to ratify the Enforcement Order for Richard White – 11 Harborview Lane. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

VIII. CERTIFICATES OF COMPLIANCE

A. Peter Turlo – 18 Pine Tree Drive

This project involved the construction of a pier, ramp and float system. All work has been completed in compliance with the Order of Conditions. Mr. Pichette recommended the issuance of a Certificate of Compliance.

MOTION: Ms. Slavin moved to grant a Certificate of Compliance for Peter Turlo. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. Ed Rossi – 11 Harborview Lane

The certificate of Compliance is not ready at this time.

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Conservation Restriction/Stewardship

B. Discussion: Bills

C. Discussion: Appointments

MOTION: Ms. Slavin moved to accept the letter from Mark Carboni requesting to become an Associate Member. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

X. ADJOURNMENT

MOTION: Ms. Slavin moved to adjourn the meeting at 8:32 P.M. Ms. Lydon seconded.

VOTE: Unanimous (5-0-0)

Date signed: _____

Attest: _____

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____