

Town of Wareham
Conservation Commission – Minutes
May 17, 2023

Location: Wareham Multi-Service Center, 48 Marion Road, Wareham, MA, Room 320.

The following record pertains to a meeting held by the Wareham Conservation Commission at 6:30 PM local time. A video recording of this meeting is available for viewing. The record of the proceedings includes the videotape of the meeting, the resolutions passed, and any document presented during the course of the meeting.

PRELIMINARY BUSINESS

Present: Chairperson, Sandy Slavin; Vice Chair, Denise Schulz; Clerk, Kwame Bartie, Jessica Parr, and Carol Malonson

Absent: Mr. Mercier and Ms. Wood.

Conservation Administrator Joshua Faherty was also present.

PUBLIC HEARINGS: 6:30 PM

Request for Determination of Applicability (RDA)

1. **TEC Associates Wareham ROW** – To perform vegetation management set forth in the Massachusetts Rights-of-Way Management Regulations (333 CMR 11.00) and the approval Vegetation Management Plan (VMP)

Tom Lewis, Tec Associates. Mr. Lewis reviewed the project.
Mr. Faherty reviewed his staff report. He recommended a Negative 5.

Motion to close the Public Hearing: Ms. Malonson made a motion to close the public hearing which was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0)

Ms. Schulz attended the meeting at 6:36 p.m. via Zoom.

Ms. Parr recused herself at 6:37 p.m.

Ms. Slavin took the Amended order of conditions for 124 Minot Avenue out of order.

AMENDED ORDER OF CONDITION REQUESTS

1. **DNO Real Estate, 124 Minot Avenue, Wareham, MA** – To change the layout of the proposed concrete block retaining wall and to grade into the 200' buffer.

Greg Drake from Outback Engineering. Mr. Drake reviewed the changes; he said they are moving about 60' of the wall in the back and grade into the riverfront area. He said there is a minor change to the building proposed. He is asking for an extension of 3 years on the order of conditions.

Mr. Faherty reviewed his staff report.

Ms. Slavin asked why they were moving 60 feet of the wall.

Mr. Drake said they are modifying it; it's a tall wall (approximately 5' high) and could stop wildlife from going through and makes for a better backyard.

No further questions from Board Members.

Motion to close the Public Hearing: Ms. Malonson made a motion to close the hearing which was seconded by Mr. Bartie. The motion passed unanimously.

Motion to accept: Ms. Malonson motioned to accept the amended order of conditions on plans dated May 1, 2023, signage for the 'no touch boundary' be installed, and a three-year extension on the order of conditions. The motion was seconded by Mr. Bartie and passed unanimously. (4-0-0).

Ms. Parr returned to the meeting at 6:48 p.m.

Ms. Schulz left the meeting at 6:48 p.m.

Notice of Intent (NOI)

1. **Susan Jackson, 198 Great Neck Road, Wareham MA** – To construct a carport within the 100' buffer to a bordering vegetative wetland and within Land Subject to Coastal Storm Flowage and construction of a roof over an existing porch.

Brad Bertolo was present for JC Engineering.

Mr. Bertolo reviewed the project to build a 22x28 roof carport and a roof over the back deck. He said minimal grade changes are proposed. They are proposing erosion control measures, and anything disturbed would be put back.

Mr. Faherty reviewed his staff report. He said all the work is out of the 30' no-touch zone. He recommended approval with an added dry well.

Discussion on where to put the drywells.

Abutter, Jennifer, 200R Great Neck Road had concerns about the water and received an explanation about the drywells. Ms. Slavin explained the purpose of a dry well.

Alan Savary, 200 Great Neck Road shared concerns about the water problem in the area.

Motion to close: Ms. Malonson made a motion to close the hearing which was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0).

Motion to accept: Ms. Malonson made a motion to accept the NOI with the standard order of conditions, a dry well be added, and that Mr. Faherty be able to review the final plans with the added dry well. The Motion was seconded by Mr. Bartie and passed unanimously. (4-0-0)

CONTINUED PUBLIC HEARINGS: 6:45 PM

Request for Determination of Applicability (RDA)

Notice of Intent (NOI)

1. **Luz Maria Corkery, 10, 14, and 16 River Terrace, Wareham, MA** – To repair the foundation of the boat house and repair/improve the erosion control structures across three properties.

Ms. Malonson made a motion to continue the hearing per the applicants' request to June 7, 2023, and was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0)

2. **Pinehurst Beach Association, Beach Road off of Pinehurst Drive, Wareham, MA** – Ms. Malonson made a motion to continue the hearing per the applicants' request to June 7, 2023 and was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0).

3. Jonathan and Vanessa Sharkey, 19 Over Jordan Road, Wareham, MA –
Ms. Malonson made a motion to continue per the applicant's request to June 7, 2023, and was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0)

ENFORCEMENT ORDERS

EXTENSION REQUESTS

CERTIFICATES OF COMPLIANCE REQUESTS

1. Marlene and Robert Aron, 32 Robinwood Road, Wareham MA – SE 076-2571
Present before the Commission: Mr. Lockwood, of Lockwood Architects.

Mr. Faherty recommended the COC, the only concern was he couldn't do a site inspection, but stated things looked fine with aerial footage.

Mr. Lockwood said it was a garage addition to the existing house and had been completed.

Motion to issue COC: Ms. Malonson made the motion to issue the COC which was seconded by Ms. Parr. The motion passed unanimously. (4-0-0).

2. Michael Trojano, 15 Granston Way, Buzzard's Bay, MA – SE 076-2641
Mr. Faherty recommended the COC.

Motion to issue COC: Ms. Malonson made a motion to issue the COC which was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0)

3. Terry and John D'Ablis, 19 Nobska Way, Wareham, MA – SE 076-2543
Mr. Lockwood reviewed the project with the final plans and modification of the stairway.

Mr. Faherty recommended the COC. His concern was that there was an addition of an aluminum fence; he said the homeowners spoke to the previous agent regarding the fence and modification of it; but they didn't get the fence permitted.

Mr. Faherty recommended the issue of the COC and a \$200 fine for not permitting the fence. He stated the homeowner is aware of his recommendation.

Motion to issue COC: Ms. Malonson made a motion to approve the COC with the \$200 fine for not permitting the fence, which would've been approved had it been brought forth. The motion was seconded by Mr. Bartie and approved unanimously. (4-0-0).

OTHER BUSINESS/DISCUSSION AND/OR VOTE/BILLS

1. Discussion
Ms. Slavin stated that Ms. Schulz reorganized the fine schedule, and they would discuss it at the next meeting.

2. Review and accept minutes – May 3, 2023 – will review at next meeting.
Ms. Slavin asked that the minutes format be added to the next agenda for discussion.

3. Bills, Appointments, Interviews, and Reappointments

Ms. Slavin stated Mr. Mercier and Ms. Malonson would like to be reappointed to the Commission.

Motion to recommend: Mr. Bartie made a motion to recommend the reappointment of Mr. Mercier and Ms. Malonson to the Conservation Commission which was seconded by Ms. Malonson. The motion passed unanimously. (4-0-0).

Motion to adjourn: Ms. Malonson made a motion to adjourn at 7:15 p.m. and was seconded by Mr. Bartie. The motion passed unanimously. (4-0-0)

Date Signed: _____

Attest:  _____

Sandy Slavin, Chairperson

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____

WAREHAM TOWN CLERK
2023 JUN 22 AM 8:36