

Town of Wareham
Conservation Commission – Minutes
August 16, 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, Michael Mercier, Kwame Bartie, Carol Malonson, and Autumn Wood. Associate member Paula Jo O’Neil was also present.

Absent: Jessica Parr and Denise Schulz
Conservation Administrator, Joshua Faherty was also present.

PUBLIC HEARINGS: 6:30 PM

Request for Determination of Applicability (RDA)

1. **Warren 176 Main St. QOZB LLC, 176 Main Street, Wareham MA** – To construct a small parking field, stormwater infiltration galleys, a 24’ x 22.5’ concrete patio and a 2,000-gallon grease trap within Land Subject to Coastal Storm Flowage

Mr. Bartie read the advertisement for the record.

Brian Grady, GAF Engineering was present to review the project. Conversion to a restaurant and arcade. Most proposed work behind the building, very little grade change, no fill being added.

Mr. Faherty recommended to the Commission for approval.

Mr. Mercier asked a couple of questions regarding the parking lot material and drainage. Mr. Grady explained catch basins for drainage and crushed stone for the rear parking lot.

There was no public comment.

Staff recommendation: Mr. Faherty recommended approval as a Negative 2 and Negative 6.

Ms. Malonson made a motion to close the hearing which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0)

Motion to approve: Ms. Malonson made a motion to approve as a Negative 2 and Negative 6 which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0).

2. **Kenneth and Teresa Lovely, 5 Priscilla Avenue, Wareham MA** – Replace an existing 13” concrete wall in the same footprint as an existing concrete wall.

Mr. Bartie read the advertisement for the record.

Ken Lovely was present and confirmed it was a 13” wooden wall that was being replaced in kind in the same footprint. He said they would add erosion control.

Mr. Faherty reviewed the staff report and recommended approval with erosion control.

There was no public comment.

Ms. Malonson made a motion to close the hearing which was seconded by Mr. Bartie. The motion passed unanimously. (5-0-0).

Staff recommendation: Mr. Faherty recommended approval as a Negative 3 and Negative 6 with the condition that the sill fence be put up prior to the work beginning, and not taken down until the work is finished.

Motion to approve: Mr. Mercier moved the recommendation for approval as a Negative 3 and Negative 6 with the staff recommendation of the sill fence. Mr. Bartie seconded the motion, and it was approved unanimously. (5-0-0).

3. **Robert Peterson, 86 Shore Avenue Wareham MA** – To replace the existing deck attached to the rear of the house with a completely new deck of the same dimensions, new footings will be installed.

Mr. Bartie read the advertisement for the record.

Daniel Kennedy of Kennedy Construction was present as the contractor for the job. Mr. Kennedy explained the same exact size deck is to be replaced with new footings and posts. He said the stairs would have a platform and stairs coming down to the left and the right.

Staff Recommendation: Mr. Faherty recommended approval as a Negative 2 and Negative 6.

No public comment.

Ms. Wood made a motion to close the public hearing which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0).

Motion to approve: Ms. Wood motioned to approve as a Negative 2 and Negative 6 which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0)

Notice of Intent (NOI)

1. **Buzzards Bay Coalition, 36 Station Street, Wareham MA** – Invasive plant management to control approximately 0.8 acres of invasive plants fringing a newly restored section of shoreline along the Weweantic River.

Sara Quintal, Buzzards Bay Coalition. Ms. Quintal reviewed the project and the work that has been done thus far in the past years. Ms. Quintal said they are asking for long-term restoration of the invasives, with a perpetual condition for annual monitoring. Ms. Quintal said they have a perpetual condition in Fairhaven and report back once a year.

Ms. Slavin asked a few questions regarding when they would report back.

Mr. Mercier asked what time of year they work in the area. Ms. Quintal replied most likely in the Spring and late August/September.

Mr. Bartie confirmed it is all done by hand.

Ms. Wood thanked her for the detailed package and asked for details on the way they manage. Ms. Quintal reviewed with the thick glove method, by hand.

Ms. O'Neil asked a question about maintaining and restoring with a certain chemical that is used and how minimally it is used. Ms. Quintal confirmed it is minimally used and is targeted to a few plants only.

Staff recommendation: Mr. Faherty recommended an approval with standard conditions and a special condition to allow perpetual maintenance and yearly reporting to the Commission.

No public comment.

Ms. Wood made a motion to close the hearing which was seconded by Ms. Malonson. The motion passed unanimously. (5-0-0).

Motion to approve: Mr. Mercier made a motion to approve as presented with the standard conditions and one special condition to allow perpetual maintenance and yearly reporting back to the Commission in emails and/or photos.

2. **Prime Engineering, 370 County Road, Wareham, MA** – To construct a large-scale ground-mounted photovoltaic solar array.

Mr. Bartie read the advertisement for the record.

No one was present. Mr. Faherty stated they have not received a DEP number as of yet. Requested a hearing until September 6, 2023. (Mr. Faherty asked that the Commission in the future not open a hearing until a DEP number has been received.)

Mr. Mercier made a motion to continue to September 6, 2023, and was seconded by Ms. Malonson. The motion passed unanimously. (5-0-0).

CONTINUED PUBLIC HEARINGS:
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. (Continued to September 6, 2023)
2. **Anne Marie, Paul & Siobhan Donegan, 39 Jefferson Shores Road, Wareham MA** – Reconstruction and extension of a rock revetment replace existing walkway, removal of invasive species, and restoration of the coastal bank with native grasses, and raise the existing revetment .5 feet

Mr. Faherty stated the applicant was not present, they do have the DEP number now. He gave a brief overview of the project with a failing seawall. He provided the Commission with a revised plan.

Staff Recommendation: Mr. Faherty recommended approval with standard order of conditions.

No public comment.

Ms. Malonson made a motion to close the hearing which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0).

Mrs. Wood/Ms. Malonson, close the hearing (5-0-0)

Motion to approve: Ms. Malonson made a motion to approve with standard conditions which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0).

3. **Wyatt Banks, 42 Thirteenth Street, Wareham MA** – To raze an existing home and construct a new home within Land Subject to Coastal Flowage.

Mr. Faherty stated they did receive the DEP file number. He reviewed the project briefly.

Ms. Slavin asked about the drywells. Mr. Faherty stated that has been met. No further questions from Commission members. No public comment.

Ms. Malonson/Mr. Mercier, close the hearing.(5-0-0)

Staff Recommendation: Approval with the standard order of conditions.

Motion to approve: Ms. Malonson made the motion to approve with the standard order of conditions, which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0).

ENFORCEMENT ORDERS

EXTENSION REQUESTS

CERTIFICATES OF COMPLIANCE REQUESTS

1. **A.P. Whitaker & Sons, inc. 3013 Cranberry Highway, Wareham MA** - SE 076-2724

Mr. Faherty recommended the COC.

Ms. Malonson made the motion, and it was seconded by Mr. Mercier. Motion passed unanimously.

2. **Diane Whittaker, 1 Fourth Ave., Wareham MA** – SE 076-1446

Mr. Faherty recommended the COC for installation of septic.

Ms. Malonson made the motion, and it was seconded by Mr. Mercier. Motion passed unanimously.

3. **Stephen Nolan, 63 Edgewater Drive, Wareham MA** – SE76-1226

Mr. Faherty recommended the COC.

Ms. Malonson made the motion, and it was seconded by Mr. Mercier. Motion passed unanimously.

OTHER BUSINESS/DISCUSSION AND/OR VOTE/BILLS

1. **Review and accept minutes** – July 19, 2023 and August 2, 2023

With amendments, Ms. Malonson made a motion to accept the minutes for July 19, 2023 and was seconded by Ms. Wood. The motion passed unanimously. (5-0-0)

With amendments to who was absent, Mr. Mercier made a motion to approve the minutes of August 2, 2023 and Ms. Wood seconded. The motion passed unanimously. (5-0-0)

2. **Bills, Appointments, Interviews & Reappointments:**

3. **Discussion:** Adopting an Administrative Review form and application fee (\$35.00). Mr. Faherty explained that he reduced some of the administrative tasks for review.

Mr. Faherty reported he made a few modifications. There were no comments.
Ms. Wood made a motion to implement and approve, and Mr. Faherty to manage the topics listed which was seconded by Ms. Malonson. The motion passed unanimously. (5-0-0).

Mr. Faherty reviewed the turtle garden project.

Ms. Malonson made a motion to adjourn which was seconded by Ms. Wood. The motion passed unanimously at 7:16p.m.

WAREHAM TOWN CLERK
2023 SEP 21 AM 10:43

Date Signed: 9/21/23

Attest: SSS lwn
Sandy Slavin, Chairperson
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: _____