

Town of Wareham
Conservation Commission – Minutes
December 6, 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, Carol Malonson, Michael Mercier, Autumn Wood, Paulajean O'Neill, Donna Kober, and Joseph Stihl.

Absent: Kwame Bartie, Denise Schulz, and Jessica Parr

Conservation Administrator, Joshua Faherty was present.

PUBLIC HEARINGS: 6:30 PM

Request for Determination of Applicability (RDA)

1. FSJ Patterson Realty LLC, 11 Pattersons Brook Road, Wareham MA

Determination of stream as intermittent or perennial

Ms. Malonson read the advertisement in for the record.

Brian Grady, GAF Engineering was present. He stated they were looking for a determination of the stream at the property whether it is intermittent or perennial.

Mr. Faherty reviewed his staff report. He recommended it be determined as an intermittent stream, which loses the 200' buffer.

Resident, Howard Smith was before the board says he has lived within fifty feet of the Patterson's Brook Road and reviewed the stream he remembers.

Mr. Grady explained the 'Patterson Brook' and that this is identified as a drainage easement and not the Patterson Brook as Mr. Smith understood it.

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

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

NOTICE OF INTENT (NOI)

1. NSTAR Electric Company, d/b/a Eversource, 37 Doty Street, Wareham MA

To construct various outdoor gravel training areas and a material storage area. Upgrade an existing on-site grassed water quality swale and detention basin; this will include brush removal, new drainage structures, and subsurface utilities, demolition of existing parking islands and light poles, grading and resizing of detention basin and grassed water quality swale and landscaping.

Ms. Malonson read the advertisement in for the record.

Eric Olsen, VHP. Mr. Olsen reviewed the project with the commission as the old flagship cinema building that Eversource acquired and wants to turn into a training center. He reviewed the plans with the proposed gravel training. He reviewed the detention ponds on the property.

Mr. Faherty reviewed his staff report, he believes that some of the work in the no work zone has already been approved. He suggested wetland signage because the property has a lot of wetlands.

Ms. Paulajeon O'Neill stated she did a site walk and her first impression was it was a very wetland area.

Chris Vandenberghe, CEC explained the material storage area and does not know specifically what the material is. Mr. Olsen said the material is probably gravel. Mr. Faherty stated this would be more like a command, home base for Eversource.

Ms. Kober asked about the berm area and the depth and material they are using for it. She asked if there would be any salt stored on the property.

Mr. Olsen said there won't be a salt shed on the premises, more so for the bucket trucks of Eversource.

Ms. Slavin reviewed the additional special conditions as, resource areas signs, snow removal away from wetlands, no hazardous material to be stored on site within ConCom 100' buffer area.

Mr. Madden asked if this was a high pollutant load for this training facility. He asked about the stormwater permit under the general by-laws, administered by the Board of Health. He asked about the element of the training if working with transformers, some have fluid within them that are hazardous.

Mr. Olsen said he couldn't speak directly to the transformer question.

Mr. Faherty recommended a continuance tonight so he can review the transformer concerns and that the Board of Health be included in that decision.

Ms. Malonson made a motion to continue to December 20, 2023 which Mr. Mercier seconded. The motion passed unanimously. (5-0-0)

2. James Bilodeau, 278 Barker Road, Wareham MA -Installation barrier, concrete block retaining wall, concrete steps, backfilled slope material, and slope protection matting.
Ms. Malonson read the advertisement in for the record.

Scott Rolfe OHI Engineering and James Bilodeau was present. Mr. Rolfe stated that nine years ago there was an order of conditions issued for this property located on White Island Pond. He reviewed their proposal for a pre-cast retaining wall, concrete steps and slope protection matting to stabilize the slope.

Mr. Faherty stated he went out there and saw quite a bit of wind and erosion.

Ms. Wood asked about the sentiment material.

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

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

3. **Paul R & Elaine L. Coughlin, 25 Cleveland Way, Wareham MA** – To construct an addition and renovations to the existing dwelling within Land Subject to Coastal Storm Flowage and the 100' Buffer to a coastal bank.

Ms. Malonson read the advertisement in for the record.

Bill Madden GAF Engineering was present. Mr. Madden explained it was a small home renovation within the 100' buffer zone to a coastal bank. He reviewed the aluminum stairs structure over the existing concrete steps.

Mr. Faherty reviewed his staff report and recommendations.

Ms. O'Neill asked about the holly tree on the property after she did a site visit.

Mr. Faherty added two additional conditions: No dumping of yard waste on coastal bank and preserving the holly tree, if possible would be the additional conditions with the standard order of conditions.

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

Motion to approve: Ms. Malonson made a motion to issue an order of conditions with the two special conditions as recommended by Mr. Faherty and was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0)

CONTINUED PUBLIC HEARINGS 6:45PM

Notice of Intents (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. (2773) (continued December 20, 2023)
2. **Prime Engineering, 370 County Road, Wareham MA** – To construct a large-scale ground-mounted photovoltaic solar array. (2809) (Continued to December 20, 2023)
3. **Fearing Hill, LLC & County Road 2004 Realty Trust, Hidden Trails, off County Road, Wareham MA** – To construct roadways, utilities and stormwater management systems associated with a proposed residential 56-lot cluster subdivision (2815) (continued to January 6, 2024)

Ms. Malonson made a motion to continue per the applicants request to January 6, 2024 which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0)

ENFORCEMENT ORDERS

EXTENSION REQUESTS

CERTIFICATES OF COMPLIANCE REQUESTS

1. **Rodger Keys, 7 Harbor View Lane, Wareham, MA – SE076-2669**
Ms. Malonson made the motion to approve per Mr. Faherty's comments to issue the COC, which

was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0).

2. David Rycroft, 17 Oak Street, Wareham MA – SE 076-2796

Ms. Malonson made a motion to approve per Mr. Faherty's recommendation (also that the boat be removed from the saltmarsh), which was seconded by Mr. Mercier. The motion passed unanimously. (6-0-0)

3. George Moutafis, 24 Sunset Avenue, Onset MA – SE 076-461

Ms. Malonson made a motion to approve per Mr. Faherty's recommendation which was seconded by Mr. Mercier. The motion passed unanimously. (6-0-0).

AMENDED ORDER OF CONDITION REQUESTS

1. Danny Warren, 59 Main Street, Wareham MA – To square off additions to the existing building, construct a marina office and pavilion, place a 5'x40 conex box, and install a dumpster enclosure

Bill Madden, GAF Engineering was present for the applicant. He said they are seeking an amended order of conditions. He showed the plans and redid a site plan review to the Planning Board. He explained the marine office construction and a 5x40 conex box on a concrete pad and they will install a dumpster enclosure.

Mr. Faherty stated this was an approvable project and Mr. Madden said he was waiting to go back in front of Planning Board for the amended site plan review.

Ms. Malonson made a motion to continue to December 20, 2023 which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0)

OTHER BUSINESS/DISCUSSION AND/OR VOTE/BILLS

1. Review and accept minutes – November 15, 2023

Ms. Malonson made a motion to accept the minutes which Ms. Wood seconded. The motion passed unanimously. (5-0-0)

2. Bills, Appointments, Interviews & Reappointments:

3. Administrative Approvals

In other business, Mr. Faherty reviewed damage off South Boulevard, where clearly trees were cut down and the debris is on the bank. Ms. Slavin said this was town property that was destroyed. She said the trees were sawed down. Mr. Faherty thought it extended through to four houses. He said he spoke to the Police Chief about it as it is town property that has been destroyed.

Motion to adjourn: Ms. Malonson made a motion to adjourn the meeting at 7:30 p.m. which was seconded by Mr. Bartie. The motion passed unanimously. (5-0-0)

Date Signed: 01/17/24

Attest: Sandy Slavin

Sandy Slavin, Chairperson

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 01/24/2024