



Jack M. Silva
Kathleen Bird
Susan Akins

TOWN OF WAREHAM
Cemetery Commissioners
95 Charge Pond Road
Wareham, Massachusetts 02571
(508) 295-5300 Fax: (508) 295-6391

CEMETERY COMMISSIONERS
MINUTES OF MEETING

Date: Thursday, January 23, 2020

Location: 8:00 A.M. – MMD, 95 Charge Pond Road, Wareham, MA 02571

Roll Call:

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|------------------|-------------------------|---------|
| Commissioners: | Jack M. Silva, Chairman | Absent |
| | Kathleen Bird, Clerk | Present |
| | Susan Akins | Present |
| Liaison officer: | Alan Slavin | Absent |
| Ex Officio: | David Menard, Director | Present |

The meeting was called to order at 8:00 am, roll call was taken with Jack Silva, Chairman, being absent.

The minutes of December 19, 2019 were read and approved 2-0-0, with corrections.

There were no licenses or headstones this month to review and approve.

Director's Report:

Mr. Menard stated that there was only one (1) full burial this month, which was in Long Neck Cemetery. While preparing for this burial, Municipal Maintenance conducted the spring cleanup removing all of the leaves, brush and debris in the Cemetery. The department was very productive this month, as the old cemetery building, located in Centre Cemetery was demolished and any remaining riprap was recycled. The Director informed the Commissioners that new lots in this area could now be marked and perhaps create a cremation area. This new project will have to begin when the ground thaws in early spring

Old Business:

The Cemetery Commissioners would like to send certified letters to both Carl Phillips and Thomas Young, informing them that they need to remove the bushes planted on their lots that are located in the Centre Cemetery. These lot owners wanted to remove the bushes personally and were informed that this needs to be done prior to May 1, 2020.

A new cemetery schedule of finances was presented to the Cemetery Commissioners to review. They were told that an additional change needs to be made to the sheet, which would combine the perpetual care interest, combined earnings and loss and gains into one column. At this meeting, there were three separate columns. A final schedule of payments will be presented at the next meeting.

New Business:

The Cemetery Commissions reviewed the invoice submitted by Zero Waste for accepting the refuse material from the cemetery building, located in Centre Cemetery. It was voted 2-0-0 to submit payment for this invoice in the amount of \$1,411.02 from Article 20, STM 4/19, Unclaimed Site Care.

A letter was presented to the Cemetery Commissioners from Sarah De Forge requesting that she be named lot representative of lot 148, graves 1 thru 8, located in the Agawam cemetery, Annex section. The Commissioners reviewed the submitted documents included in her request and determined that she could become the lot representative as her mother, the original lot owner and her brother, who had no heirs, are both deceased. The vote, 2-0-0, allowed Ms. De Forge to become lot representative, but some changes needed to be made in the response letter.

A discussion began pertaining to the Rules and Regulation and the policies the Cemetery Commissioners would like to create. The subject of receiving markers online and its liability to the Town began but the Cemetery Commissioners decided to try and create this policy beforehand and present the policy to the Cemetery Commissioners at the next meeting. They also decided to take one section of the Rules and Regulations at a time to discuss and create any new policies if necessary.

Next meeting will be on Thursday, February 20, 2020. at the MMD office.

Kristen L. Bird 2/20/20

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: March 17, 2004

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Ken Baptiste, Chair Pro Tem
John Connolly
Donald Rogers
Paul Forindo
Donald Hall, Associate Member
Mike Ponte, Associate Member
David Pichette, Agent

Member Absent: Doug Westgate
Louis Caron, Jr.
Greg Trask

III. CONTINUED HEARINGS:

A. NOI - Scott Blagden, c/o G.A.F Engineering, Inc.

The applicant has requested a continuance of the hearing. No-one was present to represent the application.

MOTION: Mr. Connolly moved to continue the public hearing for Scott Blagden to April 7, 2004. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

B. NOI – Joe Mcdonald, c/o Mckinnon & Keese Engineering, Inc.

The applicant has requested a continuance of the hearing. No-one was present to represent the application.

MOTION: Mr. Connolly moved to continue the public hearing for Joe McDonald to April 7, 2004. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

NOTE: The meeting continued w/ a discussion item.

A. Discussion: Zoning By-law rewrite

D. Pichette discussed the proposed changes to the Zoning By-law by the Wareham Zoning Rewrite Committee. It was announced that there would be a meeting tomorrow night, March 18, 2004, by the Zoning Rewrite Committee so that various Boards and Committees could hear about the changes and have an opportunity to ask questions about the changes. Meeting to be at the library at 7:00 p.m. Copies of the proposed changes were handed out to the ConCom members.

IV. NEW HEARINGS:

A. RDA – Lee Lombard

The public hearing notice was read into the record.

Present before the ConCom: (Inaudible)

Mr. Pichette described the project. The property is located at 206 Blackmore Pond Rd. The project involves the construction of a breezeway & garage w/in a coastal flood zone. A 24x24 ft. garage w/ an 8 ft. wide breezeway is proposed w/in coastal flood zone AE EL 15. The project is not in the buffer zone to any other resource areas. The site is relatively flat & no grade changes are proposed. He recommended the issuance of a Negative Determination #2 for the project.

MOTION: Mr. Connolly moved to close the public hearing for Lee Lombard. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Florindo moved to grant a Negative Determination #2 for Lee Lombard. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

B. RDA – Paul Ouellette, c/o Doug Gifford

The public hearing notice was read into the record.

Present before the ConCom: Doug Gifford

Mr. Pichette described the project. The property is located at 9 Lydias Island Road. The project involves the construction of a three season sun room in a coastal flood zone. A 13x15' addition is proposed within coastal flood zone AE EI 16. The work is not in the buffer zone to any other resource areas. No grade changes are proposed. He questioned how close the foundation would come to the slope at the site. Mr. Gifford explained the footing would be approximately 4 feet back from the slope and would be a sono tube footing. All work to be done by hand. Mr. Pichette recommended a Negative Determination #2 for the project.

Mr. Connolly asked if haybales or silt fence would be needed. Mr. Pichette stated the project is not in the buffer zone to wetlands.

MOTION: Mr. Connolly moved to close the public hearing for Paul Ouellette. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Florindo moved to grant a Negative Determination #2 for Paul Ouellette. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

C. RDA – Norman & Janice Decouto, c/o LHS Construction, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Norman Phillips

Mr. Pichette described the project. The property is located at 7A Chapel Lane. The project involves the construction of an addition within a coastal flood zone. Dwelling is an existing duplex. A 24x24' addition with farmer's porch across the front is proposed within coastal flood zone AE E1 15. The work is not in the buffer zone to any other resource areas. No grade changes are proposed. He recommended a Negative Determination #2 for the project.

MOTION: Mr. Connolly moved to close the public hearing for Norman & Janice Decouto. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Connolly moved to grant a Negative Determination #2 for Norman & Janice Decouto. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

D. NOI – George Hempel, c/o Charles Rowley & Assoc.

The public hearing notice was read into the record.

Present before the ConCom: Jeff Harper of Charles L. Rowley & Assoc.

Mr. Pichette described the project. The property is located at 3 Pinewood Dr. The project involves the construction of a 14x16 ft. addition to an existing dwelling w/in a coastal flood zone AE EL 15. The project is not in the buffer zone to any other resource areas. There are no significant grade changes proposed. A DEP file number has been received. He recommended the issuance of an OOC w/ standard conditions.

MOTION: Mr. Connolly moved to close the public hearing for George Hempel. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Connolly moved to grant an Order of Conditions w/ standard conditions for George Hempel. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

E. NOI – Scott David, c/o J.C. Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Brad Bertollo of J.C. Engineering, Inc.

Mr. Pichette described the project. The property is located at 24 Shangri-La Blvd. The project involves upgrading a septic system in the buffer zone to Glen Charlie Pond. An existing system is to be replaced with a new Title V system approximately 81 feet from the edge of the wetland. The site does have a slope to it. Haybales and silt fence will be installed between the work and the resource area. He questioned how machinery will access the site given the steep slope. Mr. Bertollo explained the machine will creep down the slope and reach from the upper side. A DEP file # has been received. Mr. Pichette recommended the issuance of an Order of Conditions with the standard conditions and the added condition that both silt fence and haybales be used for erosion control.

MOTION: Mr. Florindo moved to close the public hearing for Scott David. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Florindo moved to grant an Order of Conditions with the standard conditions and the added condition that both haybales and silt fence be used for erosion control for Scott David. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

F. NOI – Jim Spang, c/o J.C. Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Brad Bertollo of J.C. Engineering, Inc.

Mr. Pichette described the project. The property is located at 7 Roosevelt Ave. The project involves the construction of a garage in the buffer zone to wetlands & w/in a coastal flood zone.

A 16x22' garage is proposed 33 ft. away from the wetland & w/in coastal flood zone AE EL 16. The proposed garage is adjacent to the existing gravel driveway & would be on a concrete slab. Haybales are proposed to be installed between the work area & the wetlands to contain excavation material. No DEP file number has been received. He recommended the hearing be continued for a DEP file number.

MOTION: Mr. Connolly moved to continue the public hearing for Jim Spang April 7, 2004. Mr. Hall seconded.

VOTE: Unanimous (4-0-0)

G. NOI – Donald Dugan, c/o CLE Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Jeff Oakes of CLE Engineering, Inc.
Donald Dugan, Wareham Boat Yard

Mr. Pichette described the project. The project site is the Wareham Boatyard. The project involves the construction of a storage building, additional floating docks & a deck in the buffer zone to salt marsh/coastal bank, w/in a coastal flood zone & w/in the riverfront area of the Weweantic River. A 40x90 ft. storage building is proposed on the southern side of the existing building. This would be right up to the edge of the wetland. He did not have a chance to meet at the site to review the wetland line. He recommended this building not be allowed so close to the edge of the wetland. He asked what the nature of the structural design. He noted that six floating docks are proposed to add eight additional slips. He asked how those will be anchored. Mr. Dugan stated these would be held by metal pipe pilings. A 10x12' deck is also proposed adjacent to the salt marsh. Mr. Pichette expressed concern w/ the proximity to wetlands.

Mr. Pichette stated there is an outstanding issued re: the reconstruction of a dock at this site for which the ConCom has issued an OOC. The construction was not done according to the approved plan. He recommended the pier be constructed properly prior to the issuance of any further permitting. A DEP file number has been received. He recommended a continuance to address the old pier issue & review the wetlands line relative to the new project.

Mr. Pichette asked Mr. Dugan to explain the status of the pier issue.

Mr. Dugan explained that a pier structure was permitted at the site, designed by Charles Rowley. Due to the difficulty of getting a rig under the Rte. 6 bridge to build the pier, the fixed pier was built shorter and a longer floating dock was attached. He knows this is not acceptable and has hired Bay Diving Services to install additional fixed pilings to get the proper length of fixed elevated pier for the project. The new pilings have already been installed. A crane from the land was used. A longer ramp will be used going from a 19 ft. ramp to a 40 ft. ramp which will result in reducing the number of pilings needed by one set of pilings, but still getting out to the approved

location for the floats. This is because the crane can only reach out so far from the land so it was decided to use a longer ramp.

Mr. Connolly asked when the original pier work was done. Mr. Dugan stated within a couple years.

Mr. Dugan explained further how the proposed storage building will be used. It will just be for boat storage. No repair work to be done.

MOTION: Mr. Florindo moved to continue the public hearing for Donald Dugan to April 7, 2004. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

H. NOI – Champion Builders, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 425 Main St. The project involves the demolition of an existing dwelling & the construction of 12 condo units as part of a 40B development. Condo units are proposed 17' away from the edge of BVW & w/in a coastal flood zone AE EL 15. The limit of work is closer at 5 ft. at its nearest point. The wetland line was previously approved by the ConCom. At the time of the onsite, wetland flags were not in place. He recommended that these be rehung to see proximity of wetland to work in the field. Stormwater drainage structures are proposed under the proposed parking area. Catch basins would direct water to underground leaching structures that would overflow to wetlands, level of groundwater & permeability of the soils have not been verified. Test pit is to be dug to determine this information. The amount of fill needed for the project was requested. Side slopes in eastern corners of the site have proposed steep slopes. Proposed stabilization may not be suitable. He asked if the retaining walls are appropriate. A DEP file number has been received. He recommended a continuance for requested information & for test pit results. He also recommended that buildings be moved further away from the wetlands.

Mr. Madden discussed the sloping/contours in back of the houses & how it will be addressed. He discussed how this filing was done under 40B which negates the local Wetland Bylaw regulations.

Lengthy discussion ensued re: aspects of the project & how certain issues will be handled.

Present before the ConCom: Paul McGonnagal, Main Street

Mr. McGonnagal stated there is a brook that runs in back of this property & it flows to the river. With any type of runoff into this brook, the brook will not be able to handle it. The outlet to the river may become polluted. The whole area behind this property are dependent upon the drain off from this wetland area. He noted the railroad bed behind the property that sits on the marsh. He

feels this building project w/ 16 units will impact the delicate wetland area behind the property adversely. Mr. Madden addressed the drainage concerns, such as use of catch basins & infiltration unit.

Mr. Florindo asked about roof runoff from the easterly side. Mr. Madden addressed roof runoff. He stated there will be a lengthy stormwater pollution prevention management plan that will be implemented.

Present before the ConCom: Kate McGonnagal, Main Street

Ms. McGonnagal asked if this project will be tied into Town sewer. Mr. Pichette stated it will be.

Present before the ConCom: (Inaudible)

The woman addressed runoff into the wetland & the fact that there will be a lot of pavement involved w/ this project. She feels the water will go into the storm drains then into the wetlands & impact them. She doesn't feel building all these dwellings & the pavement will help the wetlands. It is not just rainwater, but pollutants go along w/ it.

Discussion ensued re: trying not to use calcium chloride for snow & ice.

Present before the ConCom: Susan Pizzalato

Ms. Pizzalato stated anything that impacts the environment is a concern to her. She stated businesses & the like are trying to enhance Wareham Village & the river is part of that enhancement.

Brief discussion ensued re: scaling back the number of units for the project.

MOTION: Mr. Florindo moved to continue the public hearing for Champion Builders to April 7, 2004. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

V. CONTINUED HEARINGS

A. NOI – Paul Amarault, G.A.F. Engineering, Inc.

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.

Mr. Madden stated they have still not received a DEP file number for this project.

Mr. Pichette described the project. The property is located at 7 Ladd Ave. The project involves the construction of an addition in the buffer zone to a coastal bank & to a salt marsh. A 10x35' addition is proposed to be constructed on what is now a deck over a concrete slab. The existing deck & slab are to be removed & the addition would have a full basement. This addition will be

right at the top of the coastal bank. This area is currently lawn area. Haybales will be installed between the work & the resource areas to contain the excavation material. He recommended silt fence & haybales be installed.

Mr. Pichette stated a revised plan has been received showing the septic system upgrade & re-doing the driveway as well as a 6 ft. wide deck on the proposed addition & would sit up over the top of the coastal bank. No DEP file number has been received. He recommended a continuance of the hearing.

Mr. Madden briefly discussed the deck proposal off the addition. Discussion ensued re: the coastal bank.

MOTION: Mr. Connolly moved to continue the public hearing for Paul Amarault to April 7, 2004. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

B. NOI – Michael Gallant & Raymond Pelletier, c/o G.A.F. Engineering, Inc.

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.

Mr. Pichette stated he has not received a DEP file number, comments from the Harbormaster or the DMF.

Mr. Pichette described the project. The property is located at 55 Robinwood Road. The project involves the construction of a pier, ramp & float system into Onset Bay. A 166.4' elevated pier, ramp & float system is proposed between the two properties at 55 Robinwood Rd. & 6 Rollins Way. This is proposed to be a common pier to be used by the two property owners. The hearing had been continued due to no DEP number & no comments from DMF. He recommended a continuance of the hearing for a DEP file number & comments from DMF.

Mr. Madden discussed how the landside shore pilings would be installed. Discussion ensued.

MOTION: Mr. Connolly moved to continue the public hearing for Michael Gallant & Raymond Pelletier to April 7, 2004. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

C. NOI – Bill Bachant, Bachant Builders, c/o G.A.F Engineering, Inc.

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.
Bill Bachant, Bachant Builders

Mr. Pichette stated this application is for a project at 6 Tinkers Lane. The project involved an addition & a septic system upgrade w/in a coastal flood zone. A14x16 ft. dining room addition is proposed as well as the installation of a new Title V septic system. The work is w/in a coastal

flood zone, AE el. 15. A DEP file number has been received. He recommended the issuance of an OOC w/ standard conditions.

MOTION: Mr. Connolly moved to close the public hearing for Bill Bachant, Bachant Builders. Mr. Florindo seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Florindo moved to grant an OOC w/ standard conditions for Bill Bachant, Bachant Builders. Mr. Connolly seconded.

VOTE: Unanimous (4-0-0)

VI. ENFORCEMENT ORDERS

A. Beaver Meadow Sub-Division, Bill Bachant

Present before the ConCom: Bill Bachant, Beaver Meadow Sub-Division
Bill Madden, G.A.F. Engineering, Inc.

Mr. Madden discussed what he understood from the prior hearing as to what is being requested of Mr. Bachant. Mr. Baptiste stated he & Mr. Trask were adamant on the 10 ft. He noted what the trade-off was. Mr. Madden understood that the 10 ft. piece presently placed would remain, the barrier wouldn't have to be extended to the street line & in lieu of that, the 10 ft. liner would be put inside the swail. The northface of the drainage basin, they were told to put that one in at its full depth & was to be inspected.

Lengthy discussion ensued re: what was requested at the last meeting by the ConCom to rectify the situation.

VII. DISCUSSION ITEMS

A. Ralph Knight – Jack Marsh Lane

Mr. Pichette stated Mr. Knight is the owner of the property that used to be the Matt Rhodes bogs on Jack Marsh Lane. Mr. Knight is in the process of obtaining a building permit for a home in the back part of this land. When site work was done, it was done w/in the 100 ft. buffer to Swan Pond to approx. 60 ft. away from the wetland. He didn't sign off on the building permit & informed Mr. Knight he was to submit an application to the ConCom for the project. Mr. Knight has indicated he may re-establish the disturbed area so the work was outside the 100 ft. buffer zone all together. This may be something to consider, but a restoration plan should be in hand before signing off for the building permit.

Mr. Pichette stated another issue is there are cranberry bogs in the process of being altered & this is not something allowable. Discussions re: this type of matter have been held w/ DEP & DEP was to come back with a decision on this particular matter. Mr. Knight is interested in

converting this cranberry bog area into pasture land for sheep. The issue is the cranberry bog is a wetland & this could impact the wetland. He expressed concern re: livestock being placed in a wetland. Mr. Knight has started altering the bog already. He feels the ConCom members need to go out to this site.

Present before the ConCom: Mr. Knight

Mr. Knight stated he hired someone to put up fencing & do some clearing. He discussed his ideas for the property. He distributed documentation/letter from a wetlands consultant as to what can be done w/ the bog. Mr. Pichette stated a response is needed from DEP before the ConCom determines what will be done to the bog will be allowable. He stated things are being done on the property that shouldn't be done until DEP provides a response. He recommended the ConCom make this statement clear through an Enforcement Order. Mr. Knight asked re: some other things he would like to do & if it will be allowable. Discussion ensued.

B. Discussion w/ Board of Health

Present before the ConCom: Bob Ethier, Health Agent
Ralph Thompson, Board of Health

Mr. Pichette stated Mr. Either & Mr. Thompson are present this evening because there is an issue w/ language for the setback to wetlands for septic systems. The Bylaw has a 100 ft. setback from wetlands for new septic systems w/ no provision for a Variance from that. The BOH has a setback of 150 ft. w/ provisions for Variances. The BOS have asked that the ConCom & BOH come together to come up w/ consistent language w/ the two Bylaws.

Mr. Either stated the BOH in June wanted to protect the wetlands, so they decided on a 150 ft. setback from wetlands. There was also a provision placed that w/ new construction. Essentially, it is the same Bylaw. Mr. Baptiste doesn't want to see anything less than 100 ft.

Discussion ensued re: Bylaw court cases based on setbacks, setbacks in general & Variances.

Mr. Pichette gave a brief synopsis of the new proposed Wetlands Bylaw proposal, for example allowing the ConCom to adopt their own regulations w/out going to Town Meeting. Other proposed changes will address particular issues, such as docks & piers & areas of jurisdiction. He noted other miscellaneous changes as well. Lengthy discussion ensued.

Mr. Pichette feels a public hearing on the Bylaw changes should be held. The ConCom members concurred.

C. Enforcement Order – Dan Lunaday

This matter will be placed on the next agenda.

D. DEP River Maps

This matter will be placed on the next agenda.

NOTE: Mr. Baptiste suggested the ConCom send the Chair of the ConCom gifts & well wishes for a speedy recovery.

MOTION: A motion was made & seconded to adjourn the meeting.

VOTE: Unanimous (4-0-0)

Date signed: Feb 19, 2020

Attest: 
Ken Baptiste, Chair Pro Tem
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 2/20/20

WAREHAM TOWN CLERK
2020 FEB 20 PM 1:07

