

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: March 3, 2010

I. CALL MEETING TO ORDER

The meeting was called to order at 6:50 P.M.

II. ROLL CALL

Members Present: Ken Baptiste, Chairman
John Connolly
Doug Westgate
Sandy Slavin
David Pichette, Agent

Members Absent: Mark Carboni
Louis Caron
Manuel Barros
Donald Rogers

III. PUBLIC HEARING RE: BUFFER ZONE BYLAW

D.Pichette discussed a version of the Bylaw that has been reviewed by Kopelman & Paige w/ some revisions. Changes made were for clarification & to make it legally sound. K&P recommended taking the definitions in this section & move them to the part that outlines definitions in the Bylaw.

D.Pichette discussed Section B: Residential Construction & the intent of this section. Discussion ensued. D.Pichette will clarify the intent of this section w/ K&P. The Commission concurred.

D.Pichette discussed Section C #2. Brief discussion ensued re: the word "may" vs. "shall." The Commission concurred to keep the word "may".

Audience members had no questions or comments.

MOTION: D.Westgate moved to submit the Bylaw as an article for the Spring 2010 Town Meeting as written w/ changes to be made by K&P relative to the word "unit" in Section B. J.Connolly seconded.

VOTE: Unanimous (4-0-0)

The public hearing closed at this time.

IV. PRELIMINARY BUSINESS
(NONE)

V. PUBLIC HEARINGS
(NONE)

VI. CONTINUED HEARINGS:

A. NOI – Richard Brooks – SE76-2097

Present before the Commission: Ms. Brooks

D.Pichette discussed the suggested plantings for the area in question. Brief discussion ensued re: Ms. Brooks.

Audience members had no questions or comments.

MOTION: D.Westgate moved to close the public hearing for Richard Brooks. S. Slavin seconded.

VOTE: Unanimous (4-0-0)

MOTION: J.Connolly moved to grant an Order of Conditions to Richard Brooks w/ standard stipulations. S.Slavin seconded.

VOTE: Unanimous (4-0-0)

B. RDA – Robert Bushnell

Present before the Commission: Robert Bushnell

D.Pichette described the project. The property is located at 7 Old Colony Ave. (Onset Island). The project is to relocate a set of existing stairs & landing from one side of the house to another. The porches to be taken down are 6x3.5 ft. Sono tubes will be utilized & the site is w/in a coastal velocity zone. The site is located in the middle of the island. He recommends approving the project w/ a Negative Determination #2.

Audience members had no questions or comments.

MOTION: J. Connolly moved to close the public hearing for Robert Bushnell. D.Westgate seconded.

VOTE: Unanimous (4-0-0)

MOTION: J. Connolly moved to grant a Negative Determination #2 for Robert Bushnell. D.Westgate seconded.

VOTE: Unanimous (4-0-0)

C. NOI – Janice Lucchesi, c/o G.A.F. Engineering, Inc. – SE76-2114

Present before the Commission:

D.Pichette explained that he & K.Baptiste looked at the site in Swifts Beach. The wetland line was reviewed & he had concern re: the placement of some of the flags. Through discussion w/ G.A.F. Engineering, it was decided to have the consultant re-evaluate the wetland lines & flagging. He recommends continuing this public hearing until 3/17/10.

MOTION: J.Connolly moved to continue the public hearing for Janice Lucchesi to March 17, 2010. D.Westgate seconded.

VOTE: Unanimous (4-0-0)

D. NOI – Eagle Holt Company, Inc., c/o G.A.F. Engineering, Inc. – SE76-2112

Present before the Commission: Brian Grady

D.Westgate abstained from the vote & discussion, but will remain at the table for a quorum.

D.Pichette described the project. The property is located at Lots 1003-1005 off County Rd. The project entails the installation of approx. 580 ft. of 10-inch water pipe in the buffer zone & w/in bordering vegetative wetland. The applicant currently draws water from the Whitehead site & conveys it to a cranberry bog to the east through an above ground water line. The applicant proposes to bury the line which will require trenching through 180 ft. of bordering vegetative wetland which the pipe currently crosses. An onsite visit was made by several Commission members & it was discussed to add an additional cleanout to the pipe line & including replication for the 480 sq. ft. of wetland proposed to be altered. A DEP file number has been assigned. The changes discussed have been added to the revised plan. He recommended issuance of the Order of Conditions w/ standard conditions & the added condition that the project be done during the drier time of year (mid-July through October) so there are no major groundwater issues.

Audience members had no questions or comments.

MOTION: J. Connolly moved to close the public hearing for Eagle Holt Company, Inc. S.Slavin seconded.

**VOTE: (3-0-1)
D.Westgate abstained**

MOTION: J. Connolly moved to grant an Order of Conditions for Eagle Holt Company, Inc. w/ standard conditions & the added condition that the project be done in the drier months between mid-July through October. S.Slavin seconded.

VOTE: (3-0-1)
D.Westgate abstained

E. NOI – Donna Feeney, G.A.F. Engineering, Inc. – SE76-2113

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

Mr. Madden submitted & discussed the revised plan at length relative to the property located at 16 Bartlett Lane.

Brief discussion ensued re: boulders to be utilized & their size. Mr. Madden stated they are 500-700 lb. rocks w/ wrip/wrap behind them.

D.Pichette asked where the stairs will go. Mr. Madden described where they will be placed.

Audience members had no questions or comments.

MOTION: D.Westgate moved to close the public hearing for Donna Feeney. J. Connolly seconded.

VOTE: Unanimous (4-0-0)

MOTION: J. Connolly moved to grant an Order of Conditions for Donna Feeney. D.Westgate seconded.

VOTE: Unanimous (4-0-0)

VII. EXTENSION REQUESTS

A. Donna Feeney – 16 Bartlett Lane

D.Pichette explained this request is for the construction of a garage addition at this site which the Commission granted an OOC for in 2007. The applicant is requesting an extension & the project has yet to be completed. He recommended an extension. Brief discussion ensued.

MOTION: D.Westgate moved to grant a one year extension for Donna Feeney. S.Slavin seconded.

VOTE: Unanimous (4-0-0)

VIII. ENFORCEMENT ORDER
(NONE)

IX. CERTIFICATE OF COMPLIANCE
(NONE)

X. ANY OTHER BUSINESS

A. Special Event Approvals

D.Pichette explained the Commission has received notice of several events taking place this summer. One is a Kayak Poker Run in June. There are no real issues w/ this event relative to alterations of the beach. The second is for the July 4th Fireworks. Another is for the Blues Festival August 7th & on July 17th will be the Illumination of the Bay.

D.Pichette stated property owners on the other side of the water from the fireworks (O'Brien) have complained re: the fireworks claiming they are getting all the fallout from the un-burned fireworks on their property. Discussion ensued.

B. Plan Modification -- 13 Cove Street

D.Pichette stated the Commission reviewed this at the last meeting. The house was downsized. When the applicant went to the Building Inspector, the applicant was told to make minor changes in grade & to put in a retaining wall which was not shown on the plan.

MOTION: D.Westgate moved to approve the plan modification as presented for 13 Cove Street. J. Connolly seconded.

VOTE: Unanimous (4-0-0)

XI. ADJOURNMENT

MOTION: D.Westgate moved to adjourn the meeting. J. Connolly seconded.

VOTE: Unanimous (4-0-0)

Date signed: 6/2/10

Attest: [Signature]

Kenneth Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date filed: 6/4/10