

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: January 19, 2011

I. CALL MEETING TO ORDER

The meeting was called to order at 7:10 P.M.

II. ROLL CALL

Members Present: John Connolly, Chairman
Donald Rogers
Louis Caron
Mark Carboni
David Pichette, Agent

Members Absent: Ken Baptiste
Sandy Slavin
Doug Westgate

NOTE: The meeting proceeded w/ item IX. Any other business/discussion.

A. Discussion: Bike Path Committee

Present before the Commission: Michael Lang, Chairman of Bike Path Committee

Mr. Lang submitted the current path as laid out by the Feasibility Study.

Mr. Lang discussed the Feasibility Study & updated the Commission on progress being made. He discussed Phase I (County Rd. & Blackmore Pond Rd.) including the proposed route & the rail line. Lengthy discussion ensued.

Mr. Lang stated he is looking for a letter of support from the Commission relative to the principal of the bike path & its application to the State. Several other boards have already written letters of support.

MOTION: Mr. Caron moved the Commission write a letter of support for the proposed bike path. Mr. Carboni seconded.

VOTE: Unanimous (4-0-0)

III. PRELIMINARY BUSINESS

A. Approval of meeting minutes: February 17, 2010, May 10, 2010, & January 5, 2011. (Not handled).

IV. PUBLIC HEARINGS

A. RDA – Paul & Joyce Nardella, c/o N. Douglas Schneider & Associates.

The public hearing notice was read into the record.

Present before the Commission: N. Douglas Schneider & Assoc. representative

Mr. Pichette described the project. The property is located at 12 Cromessett Neck Road. The purpose of the request is to license some existing structures at the site which include two stone jetties & existing pier, ramp, & float system. There is no proposed work w/ this request, it is simply for Chapter 91 permitting procedure where there is a need for some sort of determination by the Commission to accompany the Chapter 91 Waterways application. He recommended issuing a negative determination for Chapter 91 purposes.

The representative gave a brief history of the existing pier structure. Brief discussion ensued.

No audience members spoke for or against the project.

MOTION: Mr. Carboni moved to close the hearing for Paul & Joyce Nardella. Mr. Caron seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Carboni moved to grant a Negative Determination #2 for Chapter 91 purposes & no work is proposed with this decision for Paul & Joyce Nardella. Mr. Caron seconded.

VOTE: Unanimous (4-0-0)

B. Amended OOC – James & Kathleen Kittredge, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission:

Mr. Pichette described the project. The property is located at 281 Cromessett Rd. The project that was originally approved involved the construction of an addition, an attached covered porch, the construction of an in-ground pool, associated landscaping, patio, as well as the installation of an underground propane tank. This work was in the buffer zone to a coastal bank, w/in the riverfront area of the Weweantic River, and w/in a coastal flood zone. The applicant is requesting an amendment to the plan because a new septic system is needed because the location of the original pool was in the septic system location. When the plan was redesigned for the septic system, the owner decided that

they also wanted to relocate the pool from what was originally presented. A new plan has been submitted showing the new proposed location for the pool & patio layout. All work will be w/in the same general area & w/in the same limit of work as previously approved. There are no significant grade changes proposed. He recommended accepting the amended plan & issuing an amended Order of Conditions referencing the revised plan as submitted.

No audience member spoke for or against this project.

MOTION: Mr. Carboni moved to close the public hearing for James & Kathleen Kittredge. Mr. Caron seconded.

VOTE: Unanimous (4-0-0)

MOTION: Mr. Carboni moved to accept the amended Order of Conditions for James & Kathleen Kittredge. Mr. Caron seconded.

VOTE: Unanimous (4-0-0)

C. NOI – John Bessette, c/o J.C. Engineering, Inc. – SE76-2157

The public hearing notice was read into the record.

Present before the Commission: Mike Pimental, J.C. Engineering

Mr. Pichette described the project. The property is located at 47 Canedy Street (Rose Point). The project involves the construction of a single family dwelling & associated structures w/in the riverfront area of the Weweantic River. A 26x26 ft. dwelling is proposed w/ a paved driveway, landscaping, & utilities. The dwelling would be serviced by Town water & sewer. The construction activity would result in the alteration of 2,589 sq. ft. of riverfront area. This is a lot that has been in existence prior to 1996. It is a fairly flat site w/ only minor grade changes proposed around the house. The proposed driveway is 20x50 ft. & would be paved. He recommended grading the driveway so it does not flow onto the street. A DEP file number has been assigned. He recommended approving the project w/ the condition that the driveway not be paved or if it is to be paved that it is not graded so it pitches down into the street that would create additional runoff on an existing dirt road.

Mr. Pimental asked if the driveway is a gravel driveway, would the runoff be allowed to go into the street. Mr. Pichette stated if it is gravel or some impervious material, the runoff wouldn't be such as it would be if it were paved, thus not as much as a concern.

The audience was asked for questions or comments.

Present before the Commission: Francis Smith, 49 Canedy St.

Mr. Smith stated there is a low spot on this block that fills w/ water four to five months out of the year. He feels it is a vernal pool & understands the applicant wants to grade it & fill it in, but this will diminish wetlands. Mr. Pichette didn't see this in particular, but he can revisit the site & address this issue. Several members stated they will go out to look as well.

MOTION: Mr. Carboni moved to continue the public hearing for John Bessette to February 2, 2011. Mr. Caron seconded.

VOTE: Unanimous (4-0-0)

Mr. Pimental stated he can have the driveway area marked out before the visit. Mr. Connolly asked for permission for the Commission to walk the property. Mr. Pimental stated he would have to ask the owner, but he doesn't see an issue.

V. CONTINUED PUBLIC HEARINGS
(NONE)

VI. EXTENSION REQUESTS

A. Jonathan Estates – Hathaway Road.

Discussion ensued re: the request. It was stated there is an Order of Conditions for this. Brief discussion ensued re: how long of an extension to give. The new State statute re: extensions was briefly noted.

Mr. Pichette stated it has been a long time since the wetlands boundaries at this property have been reviewed. He stated this request could be continued until the property is reviewed & whether or not it needs to be re-flagged or if it looks o.k. He feels if flags are not there, they should be replaced. The Commission members concurred.

MOTION: Mr. Caron moved to continue the extension request for Jonathan Estates – Hathaway Rd. until a site visit can be made to re-evaluate the wetland lines & flagging. Mr. Rogers seconded.

VOTE: Unanimous (4-0-0)

VII. ENFORCEMENT ORDERS
(NONE)

VIII. CERTIFICATE OF COMPLIANCE

A. Margaret Grassi – 1188 Main Street

Mr. Connolly stated at the last meeting it was requested that someone representing this matter come before the Commission. He doesn't see anyone present this evening.

Mr. Connolly stated there is an issue of a mess in the yard (& in the wetlands) that was supposed to be cleaned up, but it never was. This was eight years ago. A septic upgrade was supposed to be done as well, but it never was. Mr. Pichette had spoken to the lawyer representing this matter relative to coming before the Commission, but he is not present.

Brief discussion ensued re: if the Commission should proceed w/ an Enforcement Order. Mr. Pichette stated they should be given one more chance to come before the Commission at the next meeting. He will contact them by letter & by phone.

B. Wareham Plaza – 127 Marion Road

Mr. Pichette stated this is the Shaw's store property. He needs to do the final walk through first before dealing w/ this request. He recommended holding off on this until he next meeting. The Commission members concurred.

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Bike Path Committee. (Done)

B. MACC Annual Conference.

Mr. Pichette stated there is still time to sign up. This can be discussed at the next meeting.

C. Emergency Certificate: Bourne – Edgewater Drive.

Mr. Pichette asked if any members have visited the site & the trap rack issue. There has been a lot of snow. The Commission members suggested holding off on this matter until the snow dissipates.

Mr. Pichette stated G.A.F. Engineering is supposed to be filing an after-the-fact filing re: this property soon.

D. Swifts Beach Conservation Property.

The Commission concurred to hold off on this discussion until Ms. Slavin returns.

E. Perry Property – Squirrel Island Rd.

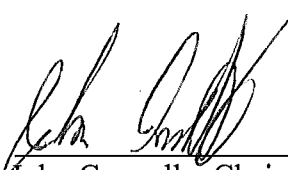
Mr. Pichette stated the Commission previously approved the construction of a house for Attorney Perry along w/ a pool. The house & pool has been built. Attorney Perry is asking that he would like to build a retaining wall at the foot of the slope by the pool & whether he needs to file an amended OOC. Mr. Connolly feels an amended OOC should be filed. The other Commission members concurred. Mr. Pichette will reiterate this to Attorney Perry.

X. ADJOURNMENT

MOTION: Mr. Caron moved to adjourn the meeting. Mr. Rogers seconded.

VOTE: Unanimous (4-0-0)

Attest:


John Connolly, Chairman

WAREHAM CONSERVATION COMMISSION

Date signed: 4-6-2011

Date copy sent to Wareham Town Clerk: 4/7/11

