

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: October 19, 2011

I. CALL MEETING TO ORDER

The meeting was called to order at 7:00 P.M.

II. ROLL CALL

Members Present: John Connolly, Chairman
Doug Westgate
Louis Caron
Sandy Slavin
Ken Baptiste (Arrived at 7:01 P.M.)
David Pichette, Agent

Members Absent:
Donald Rogers
Mark Carboni
Joe Mulkern, Associate Member

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: September 7, 2011.

MOTION: Mr. Westgate moved to approve the meeting minutes of September 7, 2011. Ms. Slavin seconded.

VOTE: (3-0-1)

NOTE: Mr. Baptiste arrived at 7:01 P.M.

**NOTE: The meeting proceeded w/ item IX. Any other business/discussion –
F. Discussion: Bill Madden – PIYC.**

Present before the Commission: Bill Madden, G.A.F. Engineering
Mr. Langlace, PIYC

Mr. Pichette stated Mr. Madden & Mr. Langlace are present to discuss a project to reconstruct a boat ramp & the bulkhead along side the bulkhead at PIYC. This project was approved prior & work is about to commence, but a plan modification is being proposed. The original bulkhead that had been proposed & approved was a steel sheet pile bulkhead & the modification proposal is for a vinyl sheet pile bulkhead.

Mr. Madden discussed the OOC issued to PIYC for the boat ramp & bulkhead. He displayed pictures of the ramp & the bulkhead. He feels the new proposal would be to do the same work w/ less of an impact & better long-term results at the site. PIYC is looking to eliminate steel sheets & utilize vinyl. He discussed the vinyl product to be utilized. It is felt the longevity of the vinyl will exceed that of the steel. He stated one sheet of vinyl will be utilized. Mr. Madden discussed how the sheets will be placed & fastened for stability. He feels the impact to land under the ocean is minimized through the use of the vertical sheets.

Mr. Westgate feels the changes are more substantial than was previously granted. Ms. Slavin asked what the visual changes would be utilizing vinyl vs. steel. Mr. Madden stated the Wetlands Protection Act doesn't have a component associated w/ visual changes.

Brief discussion ensued re: the time restriction on the project. Mr. Pichette stated there is a seasonal restriction. He stated as long as the project is done w/in the timeframe of the seasonal restriction, it is not required that it be this year. It could be done next year in the same time frame.

Mr. Madden stated there is a noise factor relative to the use of steel vs. vinyl. Vinyl has less of a noise factor.

MOTION: Mr. Westgate moved to allow the use of vinyl vs. steel for PIYC & further, to have this change reflected in the as-built plans. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

IV. PUBLIC HEARINGS

A. NOI – Barbara A. Hawkins, c/o G.A.F. Engineering, Inc.

Mr. Pichette stated the applicant has requested a continuance of this hearing.

MOTION: Mr. Baptiste moved to continue the public hearing for Barbara A. Hawkins to November 2, 2011. Mr. Caron seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

VI. EXTENSION REQUESTS

A. Diane Gustafson – 15 Canedy Street

Mr. Pichette stated the applicant is requesting a two year extension & she knows she will not get to the project this year due to financial reasons. Brief discussion ensued re: giving a one year or two year extension.

MOTION: Mr. Carboni moved to approve a two year extension for Diane Gustafson. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. Cobin – Sias Point Road

Mr. Pichette stated both applications for COC's are acceptable for Cobin. One was for a project & the other was for some modifications to a pier which was never done & the COC has run out. He recommended the issuance of both COC's.

MOTION: Mr. Baptiste moved to approve two Certificates of Compliance for Cobin – Sias Point Road. Mr. Westgate seconded.

VOTE: Unanimous (5-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

A. Swifts Beach Conservation Property.

Discussion ensued re: fencing/guardrails for the property. Mr. Pichette recommended fencing similar to the fencing that is at Little Harbor.

B. Discussion: Associate Member.

Mr. Connolly urged the Commission members to read the memo Mr. Pichette drafted to be sent to the BOS re: the Commission's Associate member. He will be sending it shortly & the Commission already approved said letter be sent.

C. Discussion: CPC Article.

Ms. Slavin stated there was discussion at the last meeting relative to Article 16 – CPC – Transfer Funds to Wareham Conservation Fund. There was no further questions.

D. Discussion: Minot Forest.

Ms. Slavin stated last week, the Minot Forest Committee held a meeting w/ Philip Benjamin & Mr. Pichette to discuss resolution of the issue pertaining to the red pine trees that are dying along Oak St. & Indian Neck Rd. There is testing being done on some of these trees to see what the problem is & one known issue is climate. The dead trees need to come down. It is hoped to have someone come in, take the dead trees down by Oak St., chip them, & harvest the live ones in the area. There would be a cost for pulling the permit to harvest. There was discussion of utilizing the Conservation Fund to pay for this. Ms. Slavin estimates the cost to be approx. \$500.00. Mr. Pichette estimates it to be approx. \$1500.00. Town has no money to do this.

Mr. Pichette stated the forester did recommend the dead ones be removed & it is only a matter of time before the rest of the red pines die as well. Discussion ensued.

Ms. Slavin stated there are other areas of forest in Town that are being recommended for harvesting. Mr. Baptiste asked if all these areas could be handled under one permit. Mr. Pichette would have to look into this. Discussion continued.

MOTION: Mr. Baptiste moved to utilize \$1500.00 from the Conservation Fund for the purpose of removing & harvesting of red pine in Minot Forest. Mr. Westgate seconded.

VOTE: Unanimous (5-0-0)

E. Discussion: McCabe Property. (NOT DISCUSSED)

F. Discussion: Bill Madden – PIYC. (DONE)

G. Discussion: Conservation Restrictions.

Ms. Slavin asked this item be placed on the agenda so the Commission understands what restrictions the Commission holds in Town. He distributed this information & noted the five CR's the Commission holds. The Commission should be monitoring these sites to make sure the conditions are being upheld.

Ms. Slavin stated she received documentation re: what the Land Trust holds & the Commission should be aware of what the Land Trust holds.

H. Violations.

Mr. Pichette discussed the Valenti Perry matter on Barker Rd. A few meetings ago, the Commission determined a timeline where an NOI was to be on the Commission's agenda. The deadline for that NOI was this meeting. This was not submitted. It was also stated at that meeting that a fine would be imposed if this NOI was not submitted. He spoke to Mr. Madden at G.A.F. Engineering, Inc & Mr. Perry did not come to his office until recently re: getting the filing done. Mr. Madden is working on getting the filing done, but was not approached to having this filing on this agenda.

Mr. Westgate discussed what the policy is re: imposing fines. Mr. Pichette read what the Commission stated at the last meeting re: this issue. The minutes did not reflect that a fine would be immediately imposed if a filing were done. The Commission concurred that if a filing is not submitted by the next meeting date, the fine will start commencing this meeting.

X. ADJOURNMENT

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

VOTE: Unanimous (5-0-0)

Date signed: 12-7-2011

Attest: [Signature]

John Connolly, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 12/8/11