

## **MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION**

**Date of Meeting: August 6, 2014**

### **I. CALL MEETING TO ORDER**

The meeting was called to order at 7:27 P.M.

### **II. ROLL CALL**

Members Present: John Connolly, Chairman  
Sandy Slavin, Vice Chairman  
Ken Baptiste, Clerk  
Mark Carboni  
Michael Baptiste, Jr., Associate Member

Members Absent: Donald Rogers  
Joseph Leggett  
Jim Smith  
David Pichette, Agent

### **III. PRELIMINARY BUSINESS**

There were no items under Preliminary Business.

### **IV. PUBLIC HEARINGS**

#### **A. RDA – Swifts Beach Manufactured Home Community, LLC, c/o Glen Gidley**

Present before the Commission: Glen Gidley, Swifts Beach Manuf. Home  
Community, LLC

The public hearing notice was read into the record.

A site inspection was done at 8 Swifts Beach Road. The project involves the reconstruction of a concrete slab foundation for a manufactured home in the buffer zone to a coastal bank. An existing mobile home is being removed & a new 26x56 mobile home is to be installed. A new concrete slab foundation is to be installed approx. 80 ft. from the top of a coastal bank. The slab will be 26x63 & will be 6" thick. Old material shall be removed from the site. Silt fence is proposed between the work & the resource area. The site is relatively flat & there are no grade changes proposed. The site is served by Town water & sewer. The Agent's recommendation is to issue a Negative #3 Determination for the project.

**MOTION:** Ms. Slavin moved to close the public hearing for Swifts Beach Manufactured Home Community, LLC. Mr. Carboni seconded.

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant a Negative #3 Determination for Swifts Beach Manufactured Home Community, LLC. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**B. RDA – Anne Campbell, c/o Ridner Construction**

Present before the Commission:     Robert Rydel  
   Michael Campbell

The public hearing notice was read into the record.

A site inspection was made at 5 North Water St. in Onset. The project involves the reconstruction of a farmers' porch in the buffer zone to a coastal bank & w/in a coastal flood zone. The existing farmers' porch is to be reconstructed in the same footprint & is approx. 45' from the seawall along the East River on the other side of North Water St. The project will require the installation of 15 10" sono tubes w/ Bigfoot footings to support the structure. The site is relatively flat & there are no grade changes proposed. The Agent's recommendation is to issue a Negative #2 Determination for the project.

**MOTION: Ms. Slavin moved to close the public hearing for Anne Campbell. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant a Negative #2 Determination for Anne Campbell. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**C. Amended OOC – Brophy & Phillips Contracting Co., c/o SITEC, Inc. – SE76-2267.**

Present before the Commission:     Stephen Giossa, SITEC, Inc.  
   Brian Potter, Brophy & Phillips Contracting Co.

The public hearing notice was read into the record.

A site inspection was made at 27 Pinetree Drive. The project involves amending an Order of Conditions to revise the site plan. The request is to modify the originally approved septic system to be a nitrogen reducing septic system which is being required by the Board of Health. Also proposed is to modify the garage location & driveway layout, add an irrigation well, & grading work. Modification to the septic system involves a slight expansion to the leach field & the addition of a blower unit. Also, an

irrigation well is proposed towards the road near the garage. The Agent has questioned what this would involve & if the Board of Health has approved this. The garage & driveway locations are proposed to be flip flopped as shown on the new site plan. Also, minor grade changes are proposed between the leach field & the top of the coastal bank. The Agent has questioned what volume of fill will be needed for the grading work. Additional haybales have been included near the proposed grading activities. The overall changes are not significant enough to require that a new NOI be filed, thus, it is the recommendation of the Agent that the issuance of an Amended Order of Conditions be given w/ the same conditions as the original order & additional conditions for the new well & septic be approved by the Board of Health & limits on the volume of fill the Commission is comfortable with.

Discussion ensued re: the Agent's questions relative to Board of Health approval & volume of fill.

**MOTION: Ms. Slavin moved to close the public hearing for Brophy & Phillips Contracting Co. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant an Order of Conditions w/ the same conditions as the original order & additional conditions for the new well & septic to be approved by the Board of Health & limits on the volume of fill for Brophy & Phillips Contracting. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**D. NOI – Carol Black, c/o Collins Civil Engineering Group, Inc. – SE76-2313**

Present before the Commission: George Collins, Collins Civil Engineering Group, Inc.

A site inspection was made at 81 Edgewater Drive. The project involves upgrading a septic system in the buffer zone to a coastal bank/coastal beach & partially w/in a coastal flood zone. The coastal bank line & the flood zone line were not shown on the original plan. A revised plan should be submitted to reflect these boundaries. An existing septic system is to be replaced w/ a new Title V system. The proposed leach field will be in the corner of the lot up by the road at the furthest location available on the lot from the resource areas. The new septic tank & lines would be between the road & the house. Haybales & silt fence would be placed between the work & the resource areas as shown on the plan. A DEP file number has been received. The Agent's recommendation is to issue an Order of Conditions w/ standard conditions.

**MOTION: Mr. Carboni moved to close the public hearing for Carol Black. Ms. Slavin seconded.**

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant an Order of Conditions w/ standard conditions for Carol Black. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**E. NOI – Mariann Lorrain, c/o Collins Civil Engineering Group, Inc. – SE76-2312**

Present before the Commission: George Collins, Collins Civil Engineering Group, Inc.

A site inspection was made at 2 Quail Lane off of Cromesett Road. The project involves upgrading a septic system in the buffer zone to a coastal beach & w/in the riverfront area of the Weweantic River. An existing cesspool is to be replaced w/ a new Title V system. The lot is a small lot w/ very little room to work. The proposed leach field will be 54' from the top of the coastal bank/beach. The proposed septic tank will be 38' from the top of the bank/beach. The existing leaching pit will be pumped out & filled w/ clean fill. Haybales are proposed between the work & the resource areas as shown on the plan. Dewatering may be needed to install the new system. If the DEP file number has been received, the Agent's recommendation is to issue an Order of Conditions w/ the standard conditions & the added conditions for dewatering activities.

Mr. Collins stated a DEP file number was filed for on 7/16/14. The DEP file number on file is 76-2313.

**MOTION: Ms. Slavin moved to close the public hearing for Mariann Lorrain. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant an Order of Conditions w/ standard conditions & the added conditions for dewatering activities for Mariann Lorrain. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**F. NOI – PBE Companies, LLC/Santander Bank, c/o JC Engineering, Inc. – SE76-2311**

Present before the Commission: Mike Pimental, JC Engineering, Inc.

A site inspection was made at 2605 Cranberry Highway, the Crack O' Dawn Restaurant. The project involves the upgrading of a septic system in the buffer zone to a bordering vegetated wetland. An existing septic system is to be replaced w/ a new Title V nitrogen reducing septic system. The majority of the lot is in the buffer zone to bordering vegetated wetland & has been previously paved. Pavement will have to be excavated to

install the new system. Four septic tanks are proposed for the new system. Groundwater will likely be encountered during the construction of the system. A dewatering basin is shown on the plan. The Agent recommends that the dewatering basin be located further away from the wetland line & sized accordingly for expected volume. The new leach field will be in the same general location as the existing field which is up close to the road 89 ft. from the edge of the bordering vegetated wetland. A new water line will also have to be installed. Disturbed areas will then be repaved. Haybales are proposed between the work & the resource area. A DEP file number has been issued for the project. The Agent's recommendation is to issue an Order of conditions w/ the standard conditions & the added conditions for dewatering.

**MOTION: Ms. Slavin moved to close the public hearing for PBE Companies, LLC/Santander Bank. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant an Order of Conditions w/ standard conditions & the added conditions for dewatering for PBE Companies, LLC/Santander Bank. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**V. CONTINUED PUBLIC HEARINGS**

**A. RDA – Stephen Beranger**

Present before the Commission: Stephen Beranger

It was stated this is an after-the-fact filing for the installation of pavement on the property. Discussion ensued re: the trench, its depth, utilizing 1 ½ inch stone, & planting grass in the disturbed areas.

**MOTION: Ms. Slavin moved to close the public hearing for Stephen Beranger. Mr. Carboni seconded.**

**VOTE: Unanimous (4-0-0)**

**MOTION: Ms. Slavin moved to grant an after the fact approval for Stephen Beranger w/ the conditions being that the trench be 25 ft. & 8 inches deep, 1 ½ inch stone be utilized, grass to be planted in disturbed areas, & all work to be reviewed by the Agent. Mr. K. Baptiste seconded.**

**VOTE: Unanimous (4-0-0)**

**B. RDA – Deanne & James Bonnar**

Present before the Commission: Deanne Bonnar

The project site is located at 98 Edgewater Drive. The project involves the removal of dead trees both standing & fallen as marked on submitted maps & to conduct vista pruning on Lot A as marked on the map. Only hand tools, a hand-drawn garden cart, & chainsaw will be utilized for the project.

Brief discussion ensued re: plantings.

**MOTION:** Ms. Slavin moved to close the public hearing for Deanne & James Bonnar. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (4-0-0)

**MOTION:** Ms. Slavin moved to grant a Negative #2 Determination w/ the stipulation that there be no more plantings for Deanne & James Bonnar & further, that the Agent be contacted to review any vista pruning activity prior to the commencement of any vista pruning activity. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (4-0-0)

**C. ANRAD – Ninety-Six Realty, LLC, G.A.F. Engineering, Inc. – SE76-2290**

The applicant has requested a continuance to August 20, 2014.

**MOTION:** Ms. Slavin moved to continue the public hearing for Ninety-Six Realty, LLC to August 20, 2014. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (4-0-0)

**D. NOI – Hall Keen Real Estate Management & Investment, c/o Site Design Engineering, LLC – SE76-2303**

**MOTION:** Ms. Slavin moved to continue the public hearing for Hall Keen Real Estate Management & Investment, c/o Site Design Engineering, LLC to August 20, 2014. Mr. K. Baptiste seconded.

**VOTE:** (3-0-1)

Mr. Carboni abstained

**VI. EXTENSION REQUESTS**

**VII. ENFORCEMENT ORDERS**

**VIII. CERTIFICATES OF COMPLIANCE**

**A. Paul Sullivan – 9 Bridge View Lane**

**MOTION:** Mr. K. Baptiste moved to grant a Certificate of Compliance for Paul Sullivan. Ms. Slavin seconded.

**VOTE:** Unanimous (4-0-0)

**B. Jennifer Walter – 10 Canedy Street**

**MOTION:** Mr. K. Baptiste moved to grant a Certificate of Compliance to Jennifer Walter. Ms. Slavin seconded.

**VOTE:** Unanimous (4-0-0)

**C. Milbery Family Nom. Trust – 51 Cleveland Way**

**MOTION:** Mr. Carboni moved to grant a Certificate of Compliance to Milbery Family Nom. Trust. Ms. Slavin seconded.

**VOTE:** Unanimous (4-0-0)

**IX. ANY OTHER BUSINESS/DISCUSSION**

**A. Discussion: Conservation Restriction/Stewardship**

There was no discussion.

**B. Discussion: Bills**

There was no discussion.

**C. Discussion: Town Meeting Schedule**

The Commission reviewed the Town Meeting schedule.

**X. ADJOURNMENT**

**MOTION:** Ms. Slavin moved to adjourn the meeting at 8:48 P.M. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (4-0-0)

Date signed: \_\_\_\_\_

Attest: \_\_\_\_\_

John Connolly, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 8/22/14

