

# MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: September 3, 2014

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

The meeting was called to order at 7:12 P.M.

## **II. ROLL CALL**

Members Present: John Connolly, Chairman  
Sandy Slavin, Vice Chairman  
Ken Baptiste, Clerk (Arrived 7:15 P.M.)  
Joe Leggett  
Donald Rogers  
Michael Baptiste, Jr., Associate Member  
Jim Smith, Associate Member  
David Pichette, Agent

Member Absent: Mark Carboni

## **III. PRELIMINARY BUSINESS**

A. Approve meeting minutes of August 20, 2014.

MOTION: A motion was made & seconded to approve the meeting minutes of August 20, 2014.

VOTE: Unanimous (5-0-0)

## **IV. PUBLIC HEARINGS**

A. NOI – Mann Farms, c/o G.A.F. Engineering, Inc.

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

The public hearing notice was read into the record.

Mr. Pichette described the project. The property is located at 269 Hathaway Road. The project involves the redevelopment & squaring off of existing cranberry bogs & the construction of a tailwater recovery pond w/in bordering vegetated wetland, w/in land subject to coastal storm flowage & w/in the estimated habitat of rare & endangered species. 7.7 acres of existing bogs are to be renovated & squared off w/ an end result of 8.6 acres of bog. New dike roads would be constructed as shown on the plan. Also, an existing reservoir would be expanded to be used as a tailwater pond. New flumes would

also be installed. There had been concern over a previously approved project on the other side of the road. A by-pass channel was never put in, there were erosion issues ongoing. These issues should be addressed prior to any work on this site. He asked if water flow can be contained in other existing bog systems so that sedimentation doesn't occur like that of the other project. No DEP number has been assigned at this time & no comments have been received from Natural Heritage. He recommends a continuance of the hearing.

**MOTION:** Ms. Slavin moved to continue the public hearing for Mann Farms to September 17, 2014. Mr. Rogers seconded.

**VOTE:** Unanimous (5-0-0)

**B. Barry C. Cosgrove, c/o N. Douglas Schneider & Associates, Inc.**

Present before the Commission: N. Douglas Schneider, N. Douglas Schnieder & Associates, Inc.  
Barry Cosgrove

The public hearing notice was read into the record.

Mr. Pichette described the project. The property is located at 49 Blackmore Pond Circle. The project involves the reconstruction of a timber retaining wall along Blackmore Pond. An existing railroad tie retaining wall is to be removed & replaced w/ a new timber retaining wall. 170 ft. of wall & two (2) stairways are to be reconstructed. Also proposed was a 9' wide sand access ramp down to the edge of the pond through the wall. This would be used to take small boats out of the water. He recommends that the access be reduced in width to 5 or 6' so that it would not be wide enough for cars or trucks to back down to the beach or pond edge. The applicant agreed to reduce the width. Dead men will be placed behind the wall as shown to insure stability. Stone wrapped in filter fabric will be placed behind the wall to allow for drainage. Several small trees would have to be removed & all old wall materials shall be removed from the site. A DEP file number has been received. He recommends the issuance of an Order of Conditions w/ the standard conditions & the added conditions that old materials be removed from the site.

**MOTION:** Ms. Slavin moved to close the public hearing for Barry C. Cosgrove. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (5-0-0)

**MOTION:** Ms. Slavin moved to grant an Order of Conditions w/ standard conditions & the added condition that old materials be removed from the site for Barry C. Cosgrove. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (5-0-0)

## **V. CONTINUED PUBLIC HEARINGS**

### **A. RDA – Mark Perry**

Present before the Commission: Mark Perry

Mr. Pichette described the project. The property is located at 306 Onset Avenue. The project involves the demolition of two shed buildings & the clean-up of debris w/in the buffer zone to a bordering vegetated wetland & w/in a coastal flood zone. Two older large shed structures are to be demolished & removed from the site. These structures are w/in 30' of the wetland which is just off the site. It is also proposed to remove debris that has accumulated or had been dumped at the site years ago. This will likely require an excavator or backhoe to accomplish the work. The site is relatively flat. Erosion control should be installed around the perimeter of the work. He recommends the issuance of a Negative Determination #2 for the clean up work.

Brief discussion ensued.

**MOTION:** Ms. Slavin moved to close the public hearing for Mark Perry. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (5-0-0)

**MOTION:** Ms. Slavin moved to grant a Negative Determination #2 for Mark Perry. Mr. K. Baptiste seconded.

**VOTE:** Unanimous (5-0-0)

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

The hearing will be continued.

**MOTION:** Mr. K. Baptiste moved to continue the public hearing for Hall Keen Real Estate Management & Investment to September 17, 2014. Ms. Slavin seconded.

**VOTE:** Unanimous (5-0-0)

### **C. NOI – Lawrence Bertrand, c/o G.A.F. Engineering, Inc.**

Present before the Commission: Lawrence Bertrand  
Brian Grady, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 6 Tarpaulin Way. The project involves the construction of an addition & a garage in the buffer zone to a bordering vegetated wetland & to a coastal bank. A 20x24 addition along w/ a 24x24

garage is proposed 48 ft. from the edge of the bordering vegetated wetland. It appears also that there is a coastal bank at the site which had not been shown on the plan. The ENG stated that the plan would be revised to reflect the coastal bank. Also proposed is to reconstruct the septic system but this is outside the buffer zone. The proposed access to the new garage would be to construct a new driveway off of a paper street on the north side of the lot, a section of Anchorage Drive. Silt fence is proposed between the work & the resource areas. It is recommended both silt fence & haybales be utilized.

Discussion ensued re: haybales & silt fence. Discussion ensued re: clarification of the coastal bank.

**MOTION: Ms. Slavin moved to continue the public hearing for Lawrence Bertrand. Mr. Leggett seconded.**

**VOTE: Unanimous (5-0-0)**

**D. ANRAD – Ninety Six Realty LLC, c/o G.A.F. Engineering, Inc. – SE76-2290**

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

The application is for the delineation of wetland resource areas off of Blackmore Pond Road.

Discussion ensued re: the project.

**MOTION: Mr. K. Baptiste moved to close the public hearing for Ninety Six Realty LLC. Ms. Slavin seconded.**

**VOTE: Unanimous (5-0-0)**

**MOTION: Mr. Baptiste moved to accept the revised Resource Area Delineation plan for Ninety Six Realty LLC. Ms. Slavin seconded.**

**VOTE: Unanimous (5-0-0)**

**E. ANRAD – Lawrence Hill/Hill Financial Co., c/o Goddard Consulting LLC**

Present before the Commission: Nicole Hayes

The application is for the delineation of wetland resource areas off of Minot Avenue.

Discussion ensued re: the resource area delineation.

**MOTION: Ms. Slavin moved to close the public hearing for Lawrence Hill/Hill Financial Co. Mr. Rogers seconded.**

**VOTE: Unanimous (5-0-0)**

**MOTION: Ms. Slavin moved to accept the revised Resource Area Delineation plan for Lawrence Hill/Hill Financial Co. Mr. K. Baptiste seconded.**

**VOTE: Unanimous (5-0-0)**

**VI. EXTENSION REQUESTS**

**VII. ENFORCEMENT ORDERS**

**VIII. CERTIFICATES OF COMPLIANCE**

**IX. ANY OTHER BUSINESS/DISCUSSION**

**A. Discussion: Rotondi – 51 Oak Street**

Present before the Commission: Janelle Rotondi  
John Fabroski

Lengthy discussion ensued re: scope of work done at 51 Oak Street exceeds what was recently approved by an RDA.

The Commission recommends the applicant file an NOI to deal w/ the matter. Also discussed was stabilizing the coastal bank & utilizing double haybales.

**MOTION: Mr. K. Baptiste moved to issue a \$200 fine to Janelle Rotondi – 51 Oak Street & to require the filing of an NOI prior to continuing work at the site. Ms. Slavin seconded.**

**VOTE: (4-1-0)**

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

There was no discussion.

**C. Discussion: Bills**

There were no bills to discuss.

**D. Discussion: Wetland Bylaw**

There was no discussion.

**E. Discussion: 13 Parkwood Drive – Linda Pinto/Bachant**

Present before the Commission: Bill Bachant  
Mark Desanberg  
Marcus Ambrose

Discussion ensued re: the disruption of area w/in the 35 ft. no activity zone at 13  
Parkwood Drive. Discussion ensued re: how to proceed.

**MOTION:** Mr. K. Baptiste moved to issue a \$300 fine & that replanting should be  
done before the construction continues. Ms. Slavin seconded.

**VOTE: Unanimous (5-0-0)**

**X. ADJOURNMENT**

**MOTION:** Ms. Slavin moved to adjourn the meeting at 9:09 P.M. Mr. Baptiste  
seconded.

**VOTE: Unanimous (5-0-0)**

Date signed: 11/5/14

Attest: [Signature]  
John Connolly, Chairman  
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 11/6/14

A TRUE COPY  
ATTEST

[Signature]  
TOWN CLERK