

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

**Date of Meeting: November 19, 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  
Joe Leggett  
Mike Baptiste, Associate Member  
Jim Smith, Associate Member  
David Pichette, Agent

Members Absent: Mark Carboni  
Donald Rogers

### **III. PRELIMINARY BUSINESS**

**A. Approve meeting minutes: July 16, 2014 & October 15, 2014**

**MOTION:** Ms. Slavin moved to approve the meeting minutes of July 16, 2014. Mr. K. Baptiste seconded.

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

The Commission will handle the meeting minutes of October 15, 2014 at a later date.

### **IV. PUBLIC HEARINGS**

**A. RDA – A.D. Makepeace Company, c/o Beals & Thomas, Inc.**

The public hearing notice was read into the record.

Present before the Commission: Jim Kane, A.D. Makepeace Co.

Mr. Pichette explained that this RDA is to confirm that the Maple Springs Transfer of Development Rights (TDR) sending areas off Maple Springs Road do not contain wetland resource areas or a buffer zone. The proposed site consists of two areas totaling approx. 149 acres located off Maple Springs Road., south of the Wareham/Plymouth town line.

**MOTION: Ms. Slavin moved to close the public hearing for A.D. Makepeace Company. Mr. K. Baptiste seconded.**

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

**MOTION: Ms. Slavin moved to grant a Determinations #1 & #6 for A.D. Makepeace Company. Mr. K. Baptiste seconded.**

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

**B. RDA – Hugh & Susan Scott, c/o David R. MacLean & Associates**

The public hearing notice was read into the record.

Present before the Commission: Mr. MacLean, David R. MacLean & Associates

Mr. Pichette described the project. The property is located at 2 Fishermans Cove Road. The project involves the construction of an addition w/in a coastal flood zone. A 14x22 addition is proposed partially w/in flood zone AE elevation 15. The project is not in the buffer zone to any other resource areas. No grade changes are proposed. He recommends the issuance of a Negative Determination #2.

**MOTION: Ms. Slavin moved to close the public hearing for Hugh & Susan Scott. Mr. Leggett seconded.**

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

**MOTION: Ms. Slavin moved to grant a Negative Determination #2 for Hugh & Susan Scott. Mr. K. Baptiste seconded.**

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

**C. RDA – Meredith MacNeill, c/o G.A.F. Engineering, Inc.**

The public hearing notice was read into the record.

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

Mr. Pichette briefly described the project. The proposal is for a two (2) lot subdivision off Great Neck Road. The proposed project will involve the construction of a gravel road w/ a turnaround, installation of underground utilities, & the construction of a stormwater management system. The stormwater management system has been designed to provide for the collection, conveyance, & treatments of stormwater runoff utilizing Low Impact Development (LID) Best Management Practices (BMP's). Stormwater will flow over vegetated filter strips through grass swales w/ check dams & eventually into a bio-retention basin. All proposed activities will take place outside a 100 ft. buffer to a neighboring bordering vegetated wetland & outside flood zone AE elevation 15.

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

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

**MOTION:** Ms. Slavin moved to grant a Negative Determination #1 for Meredith MacNeill. Mr. K. Baptiste seconded.

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

**D. NOI – Patrick Sheehan, c/o G.A.F. Engineering, Inc. – SE76-2324**

The public hearing notice was read into the record.

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

Mr. Pichette described the project. The property is located at 30 Pine Tree Drive. The project involves the reconfiguration & reduction in size of a float system on an existing pier at this property. The previous owner of the property expanded the float system beyond that which was approved & never got his Chapter 91 license for the improved structure that was originally a floating dock. The current owner is trying to get the pier property licensed & as part of that is proposed to reduce the size of the float system that is currently at the site. Several floats are to be removed & the remaining floats will be reconfigured as shown on the plan. The new float system square footage will be 296 which is under the Commission's 300 sq. ft. requirement. The float system currently in place is 716 sq. ft. Six 12" piles will also be removed as part of the reconfiguration. Comments have been received from the DMF w/ no concerns w/ the project. A DEP file number has been received. He recommends the issuance of the OOC w/ the standard conditions & the added conditions that work performed from a floating barge be done at higher tides so that the barge does not ground out at low tide & that no work be conducted until the approved Chapter 91 license is issued & a copy submitted to the Conservation Commission.

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

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

**MOTION:** Ms. Slavin moved to grant an Order of Conditions w/ standard conditions & the added conditions that work performed from a floating barge be done at higher tides so that the barge does not ground out at low tide & that no work be conducted until the approved Chapter 91 license is issued & a copy submitted to the Conservation Commission for Patrick Sheehan. Mr. K. Baptiste seconded.

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

**E. NOI – Clean-up of Agawam Mill Pond, Inc. (Mike Lenihan), c/o Aquatic Control Technology, LLC – SE76-2326**

The public hearing notice was read into the record.

Present before the Commission:

	Mr. Lennon
	Mr. Linehan

Mr. Pichette described the project. The project site is Agawam Mill Pond. The project involves controlling non-native plant growth in Agawam Mill Pond by chemical treatment. The project site also contains a herring run & therefore, the project needs to be reviewed by the DMF. Also, MA NHESP would be commenting on the project re: endangered species habitat downstream from the site. Agawam Mill Pond has significant amounts of submersed invasive non-native plant species, primarily fanwort. The proposed methodology is to apply the herbicide "Clipper" to the pond in phases, treating roughly a third of the pond a year for three successive years. The first treatment area would be the most upstream section of the pond. Then progressing w/ treatments in successive years toward the Agawam Mill dam. The application of herbicide would be done by a licensed applicator from a power boat w/ a dispensing system. He questioned the effects of the application to non-target species. He questioned containment of the herbicide to the treatment area. A DEP file number has been received. Comments have not been received from the DMF or the MA NHESP. The Commission did receive a comment letter this afternoon from the Buzzards Bay Coalition recommending that additional information is needed prior to deciding on this project. He recommends a continuance of the hearing to the next meeting to await comments from DMF & MA NHESP.

**MOTION:** Ms. Slavin moved to continue the public hearing for Clean-up of Agawam Mill Pond, Inc. to December 17, 2014. Mr. K. Baptiste seconded.

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

## V. CONTINUED PUBLIC HEARINGS

**A. NOI – Nanumett Shores Improvement Association, c/o G.A.F. Engineering,  
Inc. – SE76-2327**

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

Mr. Pichette described the project. The property is located at 17 Wild Rose Avenue in Onset. The project involves repairing a seawall along a coastal bank & a coastal beach. A portion of a stone seawall has deteriorated & is proposed to be repaired by resetting the stones back in place. 20-25 ft. of wall would be repaired.

A DEP file number has been assigned.

**MOTION: Mr. K. Baptiste moved to close the public hearing for Nanumett Shores Improvement Association. Ms. Slavin seconded.**

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

**MOTION: Mr K. Baptiste moved to grant an Order of Conditions w/ standard conditions for Nanumett Shores Improvement Association. Ms. Slavin seconded.**

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

**B. NOI – Linton Moulding, c/o G.A.F. Engineering, Inc. – SE76-2328**

Present before the Comission: William Madden, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 38 Warren Point Road. The project involves the removal of trees on a coastal bank & w/in the buffer zone to a coastal bank. 80 trees either on the coastal bank or w/in the buffer zone to the coastal bank are proposed to be removed. 30 of the trees are on the coastal bank or w/in the 30 ft. no activity zone. No information has been submitted stating what the issues are w/ the trees other than saying they are damaged, diseased, or intended to enhance growing conditions. He recommends limiting the tree cutting activities w/in the coastal bank & the no activity zone. He asked how many stumps will be dealt with. A DEP file number has been received. He recommended a continuance of the hearing to discuss issues/questions that still need to be answered.

**MOTION: Ms. Slavin moved to continue the public hearing for Linton Moulding to December 3, 2014. Mr. K. Baptiste seconded.**

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

**VI. EXTENSION REQUESTS**

**VII. ENFORCEMENT ORDERS**

**VIII. CERTIFICATES OF COMPLIANCE**

**A. David Peterson – 2 Blackmore Pond Way**

**MOTION: Mr. K. Baptiste moved to grant a Certificate of Compliance to David Peterson. Mr. Leggett seconded.**

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

**B. John Wiliszowski – 4 Preservation Lane**

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

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

**IX. ANY OTHER BUSINESS/DISCUSSION**

**A. Discussion: Commission Members**

Discussion ensued re: new Commission members & Associate members.

**MOTION: Ms. Slavin moved to recommend Ms. Elizabeth Lydon as an Associate member of the Conservation Commission. Ms. Leggett seconded.**

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

**MOTION: Ms. Slavin moved to recommend Mr. Jim Smith as a full member of the Conservation Commission. Mr. Leggett seconded.**

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

**MOTION: Ms. Slavin moved to recommend Ms. Alissa Heard as an Associate member of the Conservation Commission. Mr. Leggett seconded.**

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

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

Discussion ensued.

It was determined that Ms. Slavin & Mr. Leggett would walk the sites down at Swifts Beach & report back to the Commission.

**C. Discussion: Bills**

There were no bills to be discussed.

**D. Discussion: Wetland Bylaw**

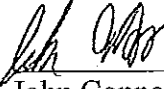
There was no discussion.

**X. ADJOURNMENT**

**MOTION: Ms. Slavin moved to adjourn the meeting at 8:46 P.M. Mr. Leggett seconded.**

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

Date signed: 12/17/14

Attest: 

John Connolly, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 12/18/14

A TRUE COPY  
ATTEST

  
TOWN CLERK