

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: August 5, 2015

I. CALL MEETING TO ORDER

The meeting was called to order at 7:09 P.M.

II. ROLL CALL

Members Present: Ken Baptiste
Sandy Slavin
Joe Leggett
Donald Rogers
Jim Smith
Elizabeth Lydon, Associate Member
David Pichette, Agent

Members Absent: Mark Carboni
Elissa Heard, Associate Member

III. PRELIMINARY BUSINESS

IV. PUBLIC HEARINGS

V. CONTINUED PUBLIC HEARINGS

A. NOI – MA Division of Fisheries & Wildlife (Jason Zimmer), c/o Princetown Hydro, LLC – SE76-2348

Present before the Commission: Steve Hurley
Nick Wildman

Mr. Pichette described the project. The property is located at 265 Barker Road, previously owned by A.D. Makepeace, Co. The project is being proposed as a limited project & involves the restoration of 75 acres of retired cranberry bogs into wetland & stream habitat. Also proposed is to improve the stream channel of Red Brook through the bog system, for the purpose of improving migratory fish passage. The project involves work w/in a BVW, land under a water body, inland bank, estimated habitat of rare & endangered species, & a migratory fish run. The stream channel will be improved by modifying the stream route w/in the bog system to be a more uniform channel w/ no obstructions. Plantings would be used along the edge of the stream channel to provide shading for the stream. Improvements may also be made to the fish ladders that exist at either end of the property. Work in the existing 75 acres of bog will involve the removal of the sand layer of the bogs & the plant material. Removed soils will be relocated back into the borrow pits around the bogs. The existing bogs would be reshaped & graded according to the submitted plans to create a variety of wetland habitats. A DEP file number has been issued stating that other State permitting may be needed. The MA Div. of Marine Fisheries has commented on the project & is requiring some time of year restrictions on the project. No silt

producing work between March 15- June 30. The project must provide unobstructed fish passage between March 15- June 30 & Sept. 1 – Nov. 15. The MA NHESP had no negative comments.

Present before the Commission: Jim Millerdore

Mr. Millerdore expressed concern re: the water level of White Island Pond. Brief discussion ensued.

Present before the Commission: Jim Sullivan

Mr. Sullivan expressed concern re: bridge safety & dumping. Brief discussion ensued.

MOTION: Ms. Slavin moved to close the public hearing for MA Division of Fisheries & Wildlife (Jason Zimmer). Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions for MA Division of Fisheries & Wildlife (Jason Zimmer) w/ the added conditions as set by the MA Division of Marine Fisheries. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

VI. EXTENSION REQUESTS

A. Edgewood Development – The Pond at Fearing Hill – SE76-1941

MOTION: Ms. Slavin moved to grant a one year extension for Edgewood Development. Mr. Smith seconded.

VOTE: (4-1-0)
Mr. Rogers opposed

VII. ENFORCEMENT ORDERS

A. 18 Burgess Point Realty Trust

NOTE: Mr. K. Baptiste & Ms. Lydon departed the table at this time.

Discussion ensued re: an Enforcement Order of 18 Burgess Point Realty Trust & violations.

MOTION: Mr. Leggett moved to send a formal cease & desist for 18 Burgess Point Realty Trust. Mr. Smith seconded.

VOTE: Unanimous (4-0-0)

NOTE: Mr. K. Baptiste & Ms. Lydon returned to the table at this time.

VIII. CERTIFICATES OF COMPLIANCE

A. Robert Wentworth – 92 Pinehurst Drive

Present before the Commission: Mr. & Mrs. Smith, new owners

Brief discussion ensued re: the Certificate of Compliance & violation of previous owner.

MOTION: Ms. Slavin moved to issue a fine in the amount of \$300.00 to Robert Wentworth. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant a Certificate of Compliance to Robert Wentworth – 92 Pinehurst Drive. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Appointments

There was no discussion.

B. Discussion: Conservation Restriction/Stewardship

Discussion ensued re: the CR for Swifts Beach.

MOTION: Ms. Slavin moved to request Mr. Pichette to contact Town Counsel re: the CR on Swifts Beach. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

C. Discussion: Bills

There was no discussion.

D. Discussion: Wetland Bylaw

There was no discussion.

NOTE: Brief discussion ensued re: a Certificate of Compliance for Dave Hurder.

X. ADJOURNMENT

MOTION: Ms. Slavin moved to adjourn the meeting at 8:20 P.M. Mr. Smith seconded.

VOTE: Unanimous (5-0-0)

Date signed: 9/2/15

Attest: [Signature]

Ken Baptiste, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 9/3/15