

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: January 7, 2015

I. CALL MEETING TO ORDER

The meeting was called to order at 7:03 P.M.

II. ROLL CALL

Members Present: John Connolly, Chairman
Sandy Slavin, Vice Chairman
Joe Leggett
Mark Carboni
Jim Smith
Elizabeth Lydon, Associate Member
Elissa Heard, Associate Member
Mike Baptiste, Jr., Associate Member
David Pichette, Agent

Members Absent: Donald Rogers
Ken Baptiste

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: December 17, 2014

This item was not handled.

IV. PUBLIC HEARINGS

A. NOI – William Atwood, c/o G.A.F. Engineering, Inc. – SE76-2331

The public hearing notice was read into the record.

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

Mr. Pichette described the project. The property is located at Lot 10A off Cranberry Highway. The project involves filling in a cranberry bog claimed to be an upland bog. The site is also w/in the estimated habitat of rare & endangered species & w/in a flood zone. An existing 1.67 acre bog is proposed to be filled to the level of the adjacent dike road. There is a question as to whether this is an upland bog. There is also a question whether compensatory flood storage would have to be provided. He asked what volume of fill would be needed & where will the fill come from. He asked if there will be further alteration in the buffer zone to generate the fill material. A DEP file number has been received. No comments have been received from MA Natural Heritage. He recommends

a continuance for comments from MA Natural Heritage. The Commission may also need to have more detail on ground water elevation & wait to see what happens to the vegetation community once water is cut off to determine whether it will support wetland vegetation or not.

Mr. Madden stated fill material would come from off-site. Mr. Pichette asked if this prospect was part of a FRRM plan. Mr. Madden stated it was not.

Brief discussion ensued.

MOTION: Mr. Carboni moved to continue the public hearing for William Atwood to January 21, 2015. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Harold Joseph, c/o G.A.F. Engineering, Inc. – SE76-2332

The public hearing notice was read into the record.

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

Mr. Pichette described the project. The property is located at 9 Point Road. The project involves modifications to a seawall w/in a coastal beach/salt marsh & w/in land subject to coastal storm flowage. Approx. 103 ft. of the overall seawall is to be the subject of this application. The applicant proposes to remove several courses of block from the existing block wall to lower the wall elevation. It is then proposed to place additional stone in front of the wall on top of existing stone to prevent the existing wall from bowing further outward. The new stone would slope over the existing concrete block so that it would no longer be visible. The width of the existing stone in front of the wall varies so this line would have to be staked out so that any new material did not extend further out than what currently exists. Plan detail did not match the description of the project at the site visit. The engineer stated the plan would be revised. There were also questions of access & types of machinery to be used. He questioned the volume of stone needed for the project. Existing stairs to be replaced should not extend further out than what currently exists, including the footing at the seaward side of the stairs. Some of the project is off the applicant's property as shown on the plan. A DEP file # has been received. He recommends a continuance until all questions are answered to the Commission's satisfaction.

Brief discussion ensued.

MOTION: Ms. Slavin moved to close the public hearing for Harold Joseph. Mr. Carboni seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions for Harold Joseph w/ standard conditions & the added conditions that there be no machines on the beach & the boundary of the existing stone in front of the walk is to be marked on the beach & the marsh beforehand, & that stones be placed, not dumped on the beach. Mr. Carboni seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. NOI – Gary Mills, c/o G.A.F. Engineering, Inc. – SE76-2330

Present before the Commission: Kevin Forgue, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 31 Bourne Point Road. The project involves the demolition of an existing dwelling & grading w/in a coastal bank, in the buffer zone to a coastal beach & coastal dune & w/in a coastal flood zone. The project site is also w/in the estimated habitat of rare & endangered species. An existing 28x52 dwelling is to be demolished & removed from the site. Once all materials from the structure have been removed, the resulting hole will be filled in & graded w/ 180 yds. of clean fill material. The proposed grade will be 6:1. Existing septic tanks will be pumped dry, collapsed, & abandoned in place. Silt fence is proposed between the work & the coastal dune area. He recommends the use of haybales as well. A DEP file number has been received. Comments have been received from Natural Heritage. They had no negative findings.

MOTION: Ms. Slavin moved to close the public hearing for Gary Mills. Mr. Carboni seconded.

VOTE: Unanimous (5-0-0)

MOTION: Slavin moved to grant an Order of Conditions for Gary Mills w/ standard conditions. Mr. Carboini seconded.

VOTE: Unanimous (5-0-0)

B. Mark & Christine Rizoli, c/o Braman Surveying & Assoc., LLC – SE76-2329

Present before the Commission: Rob Braman, Braman Surveying & Assoc., LLC

Mr. Pichette described the project. The property is located at 4 Onset Avenue. The project involves the construction of a pier, ramp, & float system w/in land under the ocean, land containing shellfish, w/in a salt marsh, & w/in a coastal flood zone. A 173 ft. pier, ramp, & float system is proposed. Water depths at the float are indicated to be between 2.3 & 2.5 ft. The project will likely not have the required water depth below the float. The sounding information is old data. He recommended that new soundings be done. The notes also indicated the final design will be by others. He briefly noted that

no comments have been received from the Harbormaster. He recommended a continuance to the next meeting.

MOTION: Ms. Slavin moved to continue the public hearing for Mark & Christine Rizoli to January 21, 2015 to await comments from the Harbormaster & to have the sounding information updated. Mr. Carboni seconded.

VOTE: Unanimous (5-0-0)

- VI. EXTENSIONS REQUESTS**
- VII. ENFORCEMENT ORDERS**
- VIII. CERTIFICATES OF COMPLIANCE**

A. George Nolan – 63 Edgewater Drive

Discussion ensued re: the dock & the privot that was put in. The Commission concurred that these actions (putting in of a dock & the privot hedge) should result in an Enforcement Order.

MOTION: Ms. Slavin moved prepare an Enforcement Order for George Nolan to include the removal of the dock to upland & to replace the privots w/ native species on the top of the bank. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. Robert Tourigny – 15 Granston Way

MOTION: Ms. Slavin moved to grant a Certificate of Compliance for Robert Tourigny. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Conservation Restriction/Stewardship

There was no discussion.

B. Discussion: Bills

There were no bills.

C. Discussion: Wetland Bylaw

There was no discussion.

D. Discussion: Town Meeting Schedule

There was no discussion.

X. ADJOURNMENT

MOTION: Ms. Slavin moved to adjourn the meeting at 8:28 P.M. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0))

Date signed: 1-21-2015

Attest: [Signature]

John Connolly, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 1/22/15

A TRUE COPY
ATTEST

[Signature]
TOWN CLERK