

## MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: April 15, 2015

### I. CALL MEETING TO ORDER

The meeting was called to order at 7:06 P.M.

### II. ROLL CALL

Members Present: Sandy Slavin, Vice Chairman  
Ken Baptiste, Clerk  
Joe Leggett  
Jim Smith  
Elizabeth Lydon, Associate Member  
Dave Pichette, Agent

Members Absent: John Connolly  
Mark Carboni  
Donald Rogers  
Elissa Heard, Associate Member  
Michael Baptiste, Jr., Associate Member

### III. PRELIMINARY BUSINESS

A. Approval of meeting minutes: March 4, 2015

MOTION: Mr. Baptiste moved to approve the meeting minutes of March 4, 2015.  
Mr. Leggett seconded.

VOTE: (2-0-2)

Mr. Leggett & Mr. Smith abstained

### IV. PUBLIC HEARINGS

A. NOI – David Sergi, D&J Enterprises, Inc., c/o JC Engineering, Inc. – SE76-2344

The public hearing notice was read into the record.

Present before the Commission: David Sergi  
John Churchill, JC Engineering, Inc.

Mr. Pichette described the project. The property is located at 167 Marion Road. The project involves the construction of landscape storage bins, the installation of fencing, & landscaping in the buffer zone to the BVW & w/in the riverfront area of Stoney Run Brook. Six 12-ft. wide landscape material storage bins are proposed to be constructed out of large concrete blocks. The blocks would be placed on the existing surface, so there

would be no excavation involved to construct the storage bins. Silt fence would be installed to identify the limit of work which would be 50 ft. from the wetland at its closest point. It is also proposed to plant a row of arborvitae or similar shrubs along the limit work line as a permanent marker of the approved limit of work. In review of the wetland line, there were two changes made to the line. A revised plan will depict the changes. The previously disturbed land between the limit of work & the wetland is to be reseeded w/ a wildflower mix & allowed to naturalize. No grade changes are proposed. There is debris & trash around the site. It was discussed that this would be cleaned up. A DEP file # has been received. He recommends the issuance of the OOC w/ the standard conditions & the added conditions that trash & debris at the site be cleaned up & properly disposed of prior to the commencement of the approved project. Further, that no chemicals be stored in the bins.

**MOTION:** Mr. Baptiste moved to close the public hearing for David Sergi, D&J Enterprises, Inc. Mr. Leggett seconded.

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

**MOTION:** Mr. Baptiste moved to grant an Order of Conditions for David Sergi, D&J Enterprises, Inc. w/ standard conditions & the added conditions that no chemicals be stored in the bins & that the trash around the property be cleaned up. Mr. Leggett seconded.

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

## **V. CONTINUED PUBLIC HEARINGS**

### **A. RDA – James & Deborah Stonefield, c/o Braman Surveying & Associates, LLC**

**MOTION:** Mr. Baptiste moved to continue the public hearing for James & Deborah Stonefield to May 6, 2015. Mr. Leggett seconded.

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

### **B. RDA – Derek Chang**

Present before the Commission:      Derek Chang

Mr. Pichette described the project. The property is located at 29 Washington Drive. The project involves the construction of a deck in the buffer zone to a coastal beach & w/in a coastal flood zone. A 10x29 deck is proposed 17 ft. from the edge of a coastal beach & w/in coastal flood zone VE, elevation 18. The project would require the installation of five sono-tube footings. The work is w/in the 30 ft. no activity zone to a coastal beach. He recommends the project be modified to be outside the 30 ft. no activity zone. If this is not possible, then the Commission should not approve the project & issue a positive determination. Discussion ensued.

**MOTION:** Mr. Leggett moved to close the public hearing for Derek Chang. Mr. Baptiste seconded.

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

**MOTION:** Mr. Baptiste moved to grant a Positive Determination #1 & #15 for Derek Chang. Mr. Leggett seconded.

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

**C. RDA – Bay Pointe Club, LLC, c/o Principle Engineering, Inc.**

Present before the Commission: Tom Furtado, Stonestreet Corp.  
Representative of Principle Engineering, Inc.

Mr. Pichette described the project. A site inspection was made at the Bay Pointe Golf course. The project involves the construction of 94 residential housing units w/in the golf course property. The application is submitting this request as part of the Planning Board requirements to have a determination from the Conservation Commission for the project. The applicant is seeking a negative determination stating that the project is not w/in the Conservation Commission's jurisdiction. After reviewing the project, he concurs that the project does not fall w/in jurisdictional areas. He recommends the issuance of a Negative Determination #4 & #6.

**MOTION:** Mr. Baptiste moved to close the public hearing for Bay Pointe Club, LLC. Mr. Leggett seconded.

**MOTION:** Mr. Baptiste moved to grant a Negative Determination #4 & #6 for Bay Pointe Club, LLC. Mr. Leggett seconded.

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

**D. NOI – Mark & Christine Rizoli, c/o Braman Surveying & Associates, LLC – SE76-2329**

**MOTION:** Mr. Baptiste moved to continue the public hearing for Mark & Christine Rizoli to May 6, 2015. Mr. Leggett seconded.

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

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

**MOTION:** Mr. Baptiste moved to continue the public hearing for Clean-up of Agawam Mill Pond to May 6, 2015. Mr. Leggett seconded.

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

F. NOI – Perry Gerlach, c/o G.A.F. Engineering, Inc. – SE76-2340

MOTION: Mr. Baptiste moved to continue the public hearing for Perry Gerlach to May 6, 2015. Mr. Leggett seconded.

VOTE: Unanimous (4-0-0)

G. NOI – Town of Wareham Municipal Maintenance Dept., c/o G.A.F. Engineering, Inc. – SE76-2343

MOTION: Mr. Baptiste moved to continue the public hearing for the Town of Wareham Municipal Maintenance Dept. to May 6, 2015. Mr. Leggett seconded.

VOTE: Unanimous (4-0-0)

VI. EXTENSION REQUESTS

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. Little Harbor Trust – Maritime Drive

MOTION: Mr. Baptiste moved to issue a Certificate of Compliance for Little Harbor Trust – Maritime Drive. Mr. Leggett seconded.

VOTE: Unanimous (4-0-0)

B. Kevin Sousa – 22 Churbuck Lane – SE76-2258

MOTION: Mr. Baptiste moved to issue a Certificate of Compliance for Kevin Sousa - 22 Churbuck Lane. Mr. Leggett seconded.

VOTE: Unanimous (4-0-0)

C. Clifford Ray – 160 Pinehurst Drive – SE76-540

MOTION: Mr. Baptiste moved to issue a Certificate of Compliance for Clifford Ray-160 Pinehurst Drive. Mr. Leggett seconded.

VOTE: Unanimous (4-0-0)

IX. ANY OTHER BUSINESS/DISCUSSION

1. Discussion: Draft No Activity Zone Handicapped Waiver Form

2. Discussion: Conservation Restriction – Tweedy & Barnes Central Corridor Extension

Brief discussion ensued. This will be voted upon at the Commission's next meeting.

3. Discussion: Conservation Restriction/Stewardship
4. Discussion: Bills
5. Discussion: Wetland Bylaw

**X. ADJOURNMENT**

**MOTION:** Mr. Baptiste moved to adjourn the meeting at 8:00 P.M. Mr. Leggett seconded.

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

Date signed: 5/16/15

Attest: Sandy Slavin  
Sandy Slavin, Vice Chairman  
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 5/18/15