

Town of Wareham
Conservation Commission – Minutes
January 17, 2024

Location: Wareham Multi-Service Center, 48 Marion Road, Wareham, MA, Room 320.

The following record pertains to a meeting held by the Wareham Conservation Commission at 6:00 PM local time. A video recording of this meeting is available for viewing. The record of the proceedings includes the videotape of the meeting, the resolutions passed, and any document presented during the course of the meeting.

PRELIMINARY BUSINESS

Present: Chairperson, Sandy Slavin, Kwame Bartie, Michael Mercier, Autumn Wood, Paulajean O'Neill, Associate members: Donna Cobert, and Joseph Stihl.

Absent: Jessica Parr and Carol Malonson

Conservation Administrator, Joshua Faherty was present.

PUBLIC HEARINGS: 6:00 PM

Request for Determination of Applicability (RDA)

Notice of Intent (NOI)

1. **Russell McKinnon, 28 Nelson Street, Wareham MA** – Raze and existing house at 28 Nelson Street, increase the size of the dwelling by 280 sq ft, and create a 10-ft wide gravel drive

Mr. Bartie read the advertisement for the record.

Mr. Mercier motioned to table the hearing which Mr. Bartie seconded. The motion passed unanimously. (5-0-0)

Ms. Wood motioned to untable the hearing which Mr. Bartie seconded. The motion passed unanimously. (5-0-0)

Jason Youngquist, Outback Engineering was present and reviewed the project. He explained there is an existing cottage at 28 Nelson St in disrepair. He reviewed the plans for a new house on pilings which would be moved back on the lot and raised up about 9'; flood elevation is 14'.

Mr. Faherty reviewed his staff comments. He stated the gravel driveway may be in the wetland line, and there are provisions for construction. Recommendation to turn dwelling, 75 degrees or so, might have to remove a couple of trees and would make recommendation that Commission to have them planted elsewhere.

Ms. Cobert asked if the Zoning Board should come first. Mr. Faherty stated that the Conservation Commission usually goes first in these cases.

Ms. O'Neill shared that the land was all wet and wasn't sure how it would move forward. Mr. Faherty stated it is probably grandfathered.

Ms. Wood stated she had concerns about the proposal and stated she would like to see the replication of the vegetated area perhaps on a new plan. Mr. Mercier also shared concerns aligning with Mr. Faherty and asked for a revised plan. Mr. Stihl stated he did a site visit and saw that the lot was quite wet.

Mr. Mercier made a motion to continue 370 County Road at the applicant's request to February 21, 2024, which was seconded by Mr. Bartie. The motion passed unanimously. (6-0-0)

- 2. Fearing Hill, LLC & County Road 2004 Realty Trust, Hidden Trails, off County Road, Wareham MA** – To construct roadways, utilities and stormwater management systems associated with a proposed residential 56-lot cluster subdivision (2815) (continued to January 17, 2024)

Mr. Faherty stated he has received all comments back from peer reviewer and the applicant is looking to continue to February 7, 2024.

Mr. Mercier motioned to continue to February 7, 2024, at the applicant's request which was seconded by Mr. Bartie. The motion passed unanimously. (5-0-0)

EXTENSION REQUESTS

MassDOT, Wareham Route-6 & 28 Reconstruction – SE076-2467 (3-year requested)

Mr. Faherty explained what the request was regarding.

Dave Pichette representing MassDot was present via Zoom requesting a 3-year extension from the March 27, 2024 expiration date. He stated he met with Mr. Faherty and they reviewed what still needed to be complete, which isn't much on the project but it would extend into the summer months.

Mr. Faherty reviewed his staff comments.

Ms. O'Neill asked about the one-year extension that the by-law reads, and they should stick to the by-law and issue a one-year extension.

Ms. Slavin said part of their bylaw rewrite needs to take into consideration the large projects. She recommended a one-year extension until March 27, 2025.

Mr. Mercier made a motion to issue a one-year extension of SE076-2467 to March 27, 2025, which was seconded by Mr. Bartie. The motion passed unanimously. (5-0-0)

CERTIFICATES OF COMPLIANCE REQUESTS

AMENDED ORDER OF CONDITION REQUESTS

- 1. Danny Warren, 59 Main Street, Wareham MA** – To square off additions to the existing building, construct a marina office and pavilion, place a 5'x40 conex box, and install a dumpster enclosure (continued to January 17, 2024)

Bill Madden of GAF Engineers was present for the applicant. He reviewed the project to square off the addition to the existing building with egress stairs. He reviewed the 70' sq feet to give room to the kitchen in the SW corner of the building. He said they are within land subject to coastal – he said this is in the AE16. He reviewed the pavilion they are looking to build as well as the conex box to be put on crushed stone.

Danny Warren was before the board as well, as he arrived a little later while Mr. Madden was reviewing the project.

Mr. Faherty reviewed his staff comments. He said a lot of the project has already been approved. He

6. Approve the meeting schedule for 2024 – reschedule for June 19, 2024

The board agreed no meeting would be on June 19, 2024, as it is a holiday.

Mr. Mercier motioned to approve the schedule for 2024 which was seconded by Mr. Bartie. The motion passed unanimously. (5-0-0)

7. Workshop – Permits – Request for Determination (RDA) and Determination of Applicability (DOA).

Mr. Faherty reviewed the RDA Application. He reviewed where the applications can be found on the website.

Ms. Nancy McHale was present and stated this was a huge improvement on how to access the applications. She recommended adding the application number to the linked agenda so it can be accessed on the website. She asked about the comments from the peer reviewer and if those comments would be accessible to the public. Mr. Faherty stated that is considered a public record and would be available for review.

8. Comments

Mr. Bartie made a motion to adjourn at 7:56 p.m. which was seconded by Mr. Mercier. The motion passed unanimously. (5-0-0)

Date Signed: 3/26/24

Attest: SSS (win)

Sandy Slavin, Chairperson
WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 3/26/24

*accepted 2/21/24
5-0-0*

DOCUMENTS REVIEWED:

1. Letter dated January 16, 2024, re: NOI, 28 Nelson Street Project. Signed by Paul and Samantha Roy