

MATTAPOISETT CONSERVATION COMMISSION
RECORD OF PROCEEDINGS
October 25, 2010

The meeting was called to order on October 25, 2010 at 6:30 p.m. at the Town Hall. Present were Chairman Tyler Macallister, Board Members Kenneth Dawicki, Jim O'Dowd, and Carmelo Nicolosi, Code Enforcement Officer Andy Bobola, Conservation Agent Rene Drouin, and recorder Marcia Perry.

The scheduled hearing for the Notice of Intent filed by Brandt Island Realty Trust NOI for a single-family home in Brandt Point Village Lot 18 was continued at the Representative's request.

Opened continued hearing for the Notice of Intent filed by the Town of Mattapoisett Footbridge to allow alternate access via crane mounted on a barge. Scott Skuncik of CLE Engineering represented the applicant. **MATTERS DISCUSSED:** Representative discussed use of a barge for the project, noting that NHESP has no concerns regarding this change.

MOTION: Kenneth Dawicki moved to accept the changes.

SECOND: Jim O'Dowd

ACTION: Carried unanimously

Opened scheduled hearing for the Notice of Intent filed by Touhey for single-family house at Pico Beach Road. Richard Charon of Charon Associates, Inc. represented the applicant.

MATTERS DISCUSSED: The representative discussed the project with less than 5,000 square feet in a riparian zone and building a foundation for an AE zone. The Board recommended a split-rail fence as a permanent barrier at the wetland line and a silt fence. The representative agreed to revise the plan to show these details. Abutter Becky Lockwood voiced concern about chemicals in the stream killing vegetation.

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, Site Inspection Report, Notification of Wetlands Protection Act File number, photographs, public notice

MOTION: Jim O'Dowd moved to accept the plan revised to show the addition of a siltation barrier and split-rail fence, and the condition of silt fence removal before a Certificate of Compliance is issued.

SECOND: Kenneth Dawicki.

ACTION: Carried unanimously.

6:50 Carmelo Nicolosi joined the meeting. The Board met with candidate Peter Newton with regard to his interest in joining the Commission.

Opened scheduled hearing for the Notice of Intent filed by Wilson for an addition and deck at 4 Pico Beach Road. The Board voted unanimously to waive reading of the public notice. Rich Rheume of Prime Engineering represented the applicant and presented a revised plan.

MATTERS DISCUSSED: The representative discussed locating and moving an underground pipe, relocating the bulkhead, and granting the town a drainage easement. The Board reviewed the plan, noting a shed in the wetland. The Board instructed the representative to notify Highway Surveyor Barry Denham and the clerk to search for an old plan for the house at 4 Pico Beach Road.

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, Site Inspection Report, Notification of Wetlands Protection Act File number, photographs, public notice

MOTION: Kenneth Dawicki moved to accept the plan.

SECOND: Jim O'Dowd

ACTION: Carried unanimously.

Opened continued hearing for the Notice of Intent filed by Fox to fill, grade, build 16' road for subdivision at 2 Pine Island Road. Dave Davignon of N. Douglas Schneider & Associates, Inc. and Mark Manganello of LEC represented the applicant.

MATTERS DISCUSSED: The representative discussed supplemental information submitted to address abutter issues, including an updated NOI reflecting that the project was not filed as a Limited Project, a determination regarding the alleged Bordering Land Subject to Flooding, and confirmation regarding the extent of the bank. The representative discussed how BLSF is determined by FEMA, stating there was no evidence to overturn FEMA's decision. Bill Madden of GAF Engineering Inc. presented a letter in response to the representative's presentation regarding the fee calculation and alternative analysis. The abutters voiced their concerns about the project. The Board discussed concern about siltation and asked if the drive could be paved. The representative

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replied that it could not be paved due to stormwater requirements. The representative requested and was granted a continuance to the next meeting on November 8, 2010.

LIST OF DOCUMENTS USED: Revised Notice of Intent, Supplemental Information from LEC dated 10/21/10, Supplemental Information from Keri Williams, P.E. dated 10/19/10.

Opened continued hearing for the Notice of Intent filed by Lawrence for single-family home on Shawmut Rd. at Antassawamock. Mark Manganello of LEC represented the applicant.

MATTERS DISCUSSED: The representative informed the Board that the Board of Appeals had denied their request to build on the smaller lot, and presented letters from the Water & Sewer Department and a letter from an attorney regarding ownership of the lot. The representative discussed the impact of the proposed well on the wetland and DEP comments. Abutters Helen McGowan, John Dawson, and Kathleen Reed discussed their concerns about this project. The representative discussed downsizing the house from 32' x 44' to 24' x 34' to match the ZBA plan.

LIST OF DOCUMENTS USED: Letter from the Water & Sewer Department, letter from attorney Beth Kunz.

MOTION: Carmelo Nicolosi moved to accept the plan with the house reduced from 32' x 44' to 24' x 34'.

DISCUSSION: Kenneth Dawicki recommended split rail fence and erosion control around the entire house before construction begins.

MOTION: Carmelo Nicolosi modified the motion to include the split rail fence and erosion control.

SECOND: Kenneth Dawicki

ACTION: Not carried 0 – 3.

Opened scheduled hearing for the Notice of Intent filed by Solimando to reconstruct retention areas and finish roadway surface preparation at Appaloosa Lane. Brian Grady of GAF represented the applicant.

MATTERS DISCUSSED: The representative discussed the undersized retention basins and the plan to reconstruct them as originally approved. The Agent stated that the area was all wetland, no flags were found, and frogs were seen. The representative agreed to have the flags replaced. The Board instructed the representative to have the site re-flagged and return with a new plan

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, Site Inspection Report, Notification of Wetlands Protection Act File number, photographs, public notice

MOTION: Kenneth Dawicki moved to continue the hearing to 11/8/10

SECOND: Jim O'Dowd

ACTION: Carried unanimously.

Opened scheduled hearing for the Notice of Intent filed by Polcari NOI to raze and rebuild a house at 3 Nashawena Road. Dave Davignon of N. Douglas Schneider & Associates, Inc. represented the applicant.

MATTERS DISCUSSED: The representative noted that the septic system was approved by the Board of Health but will not be necessary if the sewer is approved for this area. Abutters voiced their concerns about the septic system proximity to wells, drainage issues, right-of-way, and swale safety.

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, Site Inspection Report, Notification of Wetlands Protection Act File number, photographs, public notice

MOTION: Kenneth Dawicki moved to accept the plan.

SECOND: Jim O'Dowd

ACTION: Carried unanimously.

Opened scheduled hearing for the Notice of Intent filed by Campbell to construct a deck, porch, and pool at 1 Goodspeed Island. Dave Davignon of N. Douglas Schneider & Associates, Inc. represented the applicant.

MATTERS DISCUSSED: The Representative discussed details of the project and the Board reviewed the plan. The Agent stated he had no concerns about the project.

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, Site Inspection Report, Notification of Wetlands Protection Act File number, photographs, public notice

MOTION: Kenneth Dawicki moved to approve the project as presented

SECOND: Jim O'Dowd

ACTION: Carried unanimously.

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Opened scheduled hearing for the Notice of Intent filed by Downey for a single-family house off Whalers Way Map 12 Lot 170 & 171. Jeff Youngquist of Outback Engineering represented the applicant.

MATTERS DISCUSSED: The representative discussed project details. The Board noted that the driveway could be moved farther from the wetland and recommended a split-rail or other permanent fence along the wetland line. Liz Field of 100 Neck Road said a house in that area is not a benefit. The representative agreed to move the driveway and a 2-week continuance pending a revised plan.

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, Site Inspection Report, Notification of Wetlands Protection Act File number, photographs, public notice

MOTION: Kenneth Dawicki moved to continue the hearing to 11/8/10

SECOND: Jim O'Dowd

ACTION: Carried unanimously.

Opened scheduled hearing for the Notice of Intent filed by Mattapoisett Water & Sewer Dept for sewer at the Mattapoisett Neck Road area. Pat Sheridan of Tighe & Bond represented the applicant.

MATTERS DISCUSSED: The representative and board discussed the Eel Pond pumping station, how many houses to be served, groundwater recharge, and issues with abutter notification. The hearing was continued to November 8, 2010 pending receipt of a file number and DEP comments.

LIST OF DOCUMENTS USED: Notice of Intent, site plan, proof of abutter notification, public notice

OTHER BUSINESS: The Board signed a Certificate of Compliance requested by Richard Wayshville for the completed project at 18 Winnatuxett Beach Road.

MOTION: Carmelo Nicolosi moved to issue a Certificate of Compliance for this project.

SECOND: Kenneth Dawicki

ACTION: Carried unanimously.

11:07 Meeting adjourned