



approved
12/16/23

**CARVER CONSERVATION COMMISSION
MINUTES OF NOVEMBER 15, 2023 MEETING**

Present: Chairman Savery Moore, Vice Chair Dan Badger, Curtis Lake, Karl Miller, Environmental Agent Gary Flaherty and Recording Secretary Ashley Swartz (remotely).

Absent: David Hall

Mr. Moore opened the meeting.

DISCUSSION/BUSINESS

Certificate of Compliance for DEP File #SE126-634

23 South Main Street new construction – they visited the site and everything matched the plans that were submitted. They put in a retaining wall to stop some erosion and Mr. Moore thought it was a good solution. Gary added that Conservation signs were added and everyone agreed that it, “looked good”. Motion to approve the COC made by Mr. Miller, seconded by Mr. Lake, approved unanimously 4-0-0.

238 Tremont Street – Discussion

Mr. Moore said this is directly across the street from Dave’s Liquors and the South Carver post office. There was work done (tree cutting, stump removal, grading) and it is adjacent to a cranberry bog. Gary explained that a neighbor complained which was given to the building inspector and passed to Gary. Gary then believed that it was warranted to be brought to the Commission. He also asked them to not do any additional work in terms of grading or taking trees down. The land owner was there during the site visit and he said someone would come in and flag the wetlands. Mr. Moore asked for the wetlands person to take google earth images and indicate where the flags are (on that image). They explained the area that was cleared and where the flags needed to be indicated on the satellite view. The property owner said he would contact the wetland professional again and keep the Commission in the loop. The property owners said the land is agricultural but not in 61A – and added that he will not touch the area in question until they get the information they are requesting.

17 Wareham Street - Update

Gary said there is progress – a constable delivered an enforcement order. ERC (Brad Holmes) was hired by the property owner. Brad submitted a letter to Gary stating they would keep them updated on the project. Mr. Moore asked if they wanted to put a time limit on the response – they decided to have Brad come in on the next meeting – December 6th.

NEW PUBLIC HEARING

90 Main Street

RDA

Filed by C.A.S.T. Realty Trust; to determine: whether the work depicted on the referenced plan(s) is subject to the Wetlands Protection Act & its regulations and whether the area and/or work depicted on referenced plan(s) is subject to the jurisdiction of any municipal wetlands’ ordinance or bylaw of the Town of Carver. The RDA is for installing a non-community public water supply treatment non-hazardous holding tank and drywell.

Walter, the professional engineer representing the former owners of the property who are responsible for installing the system. The system pulls the nitrates out of the water stream and there will be a holding tank and a monolithic lining and top. Walter discussed the existing infrastructure and the plans for the installation. During the discussion it was brought up that there was quite a bit of debris on the sideslope to the wetland resource adjacent to where the proposed project is located, which was seen by the Commission's site visit earlier today. Dan Badger stated his concerns regarding the project's proximity to the wetland resource. Gary recommended a negative three determination with the note of erosion/sedimentation controls be emplaced prior to the start of work and that all debris along the entire sideslope on the property be picked up and disposed of properly, which Walter agreed to. Motion to approve the RDA with Gary's recommendation made by Mr. Miller, seconded by Mr. Lake, approved 3-1-0.

Off Green Park Way (FKA Montello Street)

NOI DEP File: SE126-676

Notice of Intent submitted by Route 44 Development, LLC. The proposed project includes the construction of two new subdivision roads, cul-de-sac, associated landscaping, stormwater management components, and utilities. Proposed work will occur within a small portion of degraded and previously disturbed Riverfront Area, and within the 100-Foot Buffer Zone to Inland Bank and Bordering Vegetated Wetlands.

Mr. Moore pointed out that the initial application and the subsequent notice were incorrect. There was an error in the submission and Gary found that it does encroach the buffer. Gary offered to rewrite the add and Mr. Moore said it should be rewritten to include the variance and put on the next meeting. Gary added that he had the Town Engineer reviewing the drainage report to see if it is compliant. Mr. Moore pointed out some areas that are within their jurisdiction that would need to be looked at. Gary showed a map where they planned to give back for the one-to-one mitigation and stated he thought it was a good idea (being next to the resource area and removing asphalt). Mr. Badger asked about the south side of the road and wanted to know if they reiterated the town by-laws in terms of what is buildable and what is not. He was concerned that projects were approved in stages and wanted to make it clear what they could and couldn't do in the future stages of the project. He is also concerned about the open space parcel. Mr. Moore pointed out that the lots were identified which explained why the road is where it is. Mr. Moore added that he did not see anything that was problematic. Rebecca Lipton, from the audience, asked if the plans were online. She asked for someone to clarify the delineation of the wetlands. She asked a series of questions while being shown the maps. She made additional comments that were irrelevant to the project.

Mark from Montello Street, made some comments about Mr. Badger leaving then asked about the road and the distance to the river bank. It is approximately 130 feet. He was also concerned about the PFAS mitigation. Gary spoke about documentation that could be accessible online and explained there is annual monitoring of the wells. Gary also said the engineer could be contacted for further questions. Mark raised a question about why they didn't know what was going on the property – it was explained that the builder doesn't have that information and therefore it cannot be shared with them. This meeting is for the infrastructure review only. Gary explained that they would have to meet with the Planning Board to discuss what can and cannot be built on the site. Gary explained that the current technology for mitigating PFAS is to cap it until they find a place to move it (due to regulations and who can take it). Mr. Miller asked about soil testing. It was explained that they were required to do extensive soil testing prior to securing the lots. Local and State regulations have been followed in terms of the testing. Mr. Badger talked about how by-laws can be implemented, specifically a technical review committee. He was asking what triggers this review – Gary explained that fell on Tom Bott. Gary explained some of the checks and balances that are put in place currently to deal with issues that are of great public concern. Mr. Badger recommended the gradient should be a requirement in the plans just like the setbacks. Mr. Moore agreed about the applicant not understanding by-laws and they should be required to be in attendance to understand what changes could and couldn't be made.

Motion to continue until December 6, 2023 made by Mr. Badger, seconded by Mr. Miller, approved unanimously 4-0-0.

MINUTES

Motion to approve minutes as amended, made by Mr. Badger, seconded by Mr. Lake, approved unanimously 4-0-0.

Motion to adjourn made by Mr. Lake, seconded by Mr. Miller, approved unanimously 4-0-0.

Minutes submitted by Ashley Swartz.