



approved
5/16/18

CARVER CONSERVATION COMMISSION MINUTES OF MAY 2, 2018 MEETING

Present: Chairman Jim Nauen, Jean Paul "JP" Faherty, Tim Dempsey, Alan Germain, and Savery Moore were present. Also present: Brooke Monroe, Environmental Scientist, Agent, and Marianne MacLeod, Recording Secretary.

Mr. Nauen opened the meeting at 7:00 P.M.

APPOINTMENTS:

Meet with Jean Paul "JP" Faherty for membership on Conservation Commission. The Board welcomed Mr. Faherty.

BUSINESS:

Camp out on Cole Property-April 27-29th Boy Scouts. They set up camp near the bog. They cleaned up the trails. One scout is interested in building a boardwalk.

COC REQUESTS:

1 Crow's Nest Road - DEP#SE126-546 – Augustino Diodato. This was reviewed today and was found satisfactory. Savery Moore made a Motion to approve the COC request, seconded by Tim Dempsey, voted and passed 4-0-1, with Mr. Faherty abstaining.

52 Bunny's Road-DEP#SE126-394 -- Jacob Braley. This was reviewed today and was found that the work was never done. Tim Dempsey asked the Commission to think about the current condition of the property – shouldn't this all be cleaned up before a COC is issued? Jim Nauen said even though the property needs to be cleaned up, it is outside of the parameters of the Commission. Savery Moore made a Motion that they approve the COC request since no work was done, seconded by Alan Germain, voted and passed 3-1-1, with Mr. Faherty abstaining.

MINUTES:

To be read and approved for April 18, 2018. Alan Germain made a Motion to accept the minutes as amended by Savery Moore, seconded by Savery Moore, voted and passed 4-0-1, with Mr. Faherty abstaining.

NEW HEARINGS

None.

CONTINUED HEARINGS

14 ANDREW'S POINT ROAD – DEP# SE126-554

NOI

Notice is hereby given, in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and the Carver Wetlands Protection Bylaw, that a public hearing will be held at 7:45 p.m. on Wednesday, January 17, 2018 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent for Jeffrey Merritt and Joseph Bazzinotti to elevate the existing single family dwelling; install a new foundation under the dwelling; and upgrade the existing septic system. The proposed work will be conducted within the 100 and 65-foot buffer zone to Sampson's Pond. A variance is requested to allow the work within the 65-foot buffer protected under the Carver Wetlands Protection By-law. The project is located at 14 Andrew's Point Road, Carver, MA, Map 1, Lot 8. All interested parties are invited to attend. Copies of all plans, filings, and pertinent documents are available at the Conservation Commission Office.

Jeff Merritt and Michael Williams came before the Commission. Brooke gave an overview of why the Hearing was continued. There were changes requested, which have now been completed. Plans were handed out to the Commission members for review. Jim Nauen mentioned the plans need to be amended using color to differentiate the different lines. Plans with colored lines were handed out. Alan Germain asked if the house was moved? Yes, as far forward as possible. The leaching field is outside the 100' and eliminating the septic as well. Savery Moore asked if there was an intermediate plan between the first set of plans and the plan presented tonight? No, not that they are aware of. Tim Dempsey asked where the leaching field was going? It is back by the garage. Alan Germain said he likes where it sits now and that it is as far back as practical. The plans were approved by the Board of Health. They have not been before the Planning Board. Savery Moore asked if it is a walk-in under the deck? Yes it is. Tim Dempsey asked if this will be a single-story house, when driving up to it, and a walk-out on the back. It will still be built within the 65' line. Savery Moore asked if there are plans to move the shed? It probably won't stay because it is so dilapidated.

John Caprarella an abutter from 12 Andrews Point Road, Lot 9, came before the Commission. Tim Dempsey and Savery Moore explained the difference between the old plan, which he had and the new plans that were presented tonight. One cesspool will be abandoned and the other will be filled with sand. Part of one cesspool is on the abutter's

property and he is just seeing all this and does not feel comfortable agreeing to anything yet. This is not under the jurisdiction of the Commission. It was suggested that possibly an Order of Condition can be put on the approval, that this cesspool issue needs to be settled. The wood retaining wall is staying. There will be a silt fence. The abutter has concerns about the soil settling once the current house is removed.

After a lot of discussion regarding the cesspool condition, located on Lot 8 and Lot 9 (abutter), which needs to be resolved, this is not under the jurisdiction of the Commission so they cannot make any decisions regarding it.

Alan Germain made a Motion to close the Hearing, seconded by Tim Dempsey, voted and approved 4-0-1, with Mr. Faherty abstaining.

Savery Moore made a Motion, seconded by Alan Germain, to issue a variance for the house partially within the 65' buffer zone, which is an improvement over the previous location, passed 4-0-1, with Mr. Faherty abstaining.

Alan Germain made a Motion to issue the NOI for 14 Andrews Point Road, DEP SE126-544, as drawn in the plans, seconded by Tim Dempsey, voted and passed 4-0-1, with Mr. Faherty abstaining.

0 ROCHESTER ROAD – DEP# SE126-555 NOI
Notice is hereby given, in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and the Carver Wetlands Protection Bylaw, that a public hearing will be held at 8:00 p.m. on Wednesday, January 17, 2018 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by Edaville Land Holdings LLC; for the proposed construction of a 490kW ground mounted solar array to be used to power the existing commercial operation (Edaville Family Theme Park). The proposed array is to be installed on an existing, abandoned cranberry bog and will require a variance from the Carver Wetlands Protection Bylaw. Two areas; totaling approximately 6,300 square feet; will be replicated to mitigate for the alteration of wetland resulting from the solar array. The project is located at 0 Rochester Road, Carver MA, Map 86, Parcel 13, Carver, MA. All interested parties are invited to attend. Copies of all plans, filings, and pertinent documents are available at the Conservation Commission Office. *Applicant requested a continuance.*

O CENTER STREET-DEP# SE126-561 (Continued to May 16, 2018) NOI
Notice is hereby given, in accordance with the Carver Wetlands Protection Bylaw that a public hearing will be held at 7:15 p.m. on Wednesday April 18, 2018 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by Borrego Solar Systems, Inc.; for the proposed the construction of a ground mounted, solar photovoltaic array on a 2 acre active cranberry bog and within the 100 buffer zone of other cranberry bogs on the property. The proposed work is within resource area bordering vegetated wetland (BVW) and within the 65-foot no disturb buffer and will require a variance under

the By-law. The existing cranberry bog will continue operation as a cranberry bog and vines will be mowed and sold on an annual or bi-annual basis. A Stormwater Management Plan has also been submitted for the project. The project is located at 0 Rear Center Street, Carver, MA, Map 70, Lot 1. All interested parties are invited to attend.

Savery Moore made a Motion to adjourn at 7:56 p.m., seconded by Alan Germain voted and passed 4-0-1, with Mr. Faherty abstaining.

Next meeting will be on May 16, 2018.

Respectfully submitted,

Marianne MacLeod,
Recording Secretary