



*approved
7/18/18*

CARVER CONSERVATION COMMISSION MINUTES OF JUNE 20, 2018 MEETING

Present: 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. Absent: Chairman Jim Nauen

Vice Chair, Savery Moore will be Chair at tonight's meeting due to Jim Nauen being absent. Savery Moore opened the meeting at 7:00 P.M.

APPOINTMENTS/DISCUSSIONS:

- Violation-36 South Main Street – Brooke gave a recap of this issue. Someone anonymously called and said there was activity on the pond – they were seeing piles of sand near the water line and this person wanted the Conservation Commission to be aware of this. Debbie and Rodney Aldrich appeared. The property is owned by the Shaw Family Corporation and is an active cranberry bog. It is zoned Agricultural. The pile of sand in the back is for the bogs. Her nephews did wheelbarrow down a few loads of sand to freshen up the beach. Debbie offered to show pictures from years ago, showing what the beach used to look like. Brooke explained that the Commission needed to be made aware of this. Tim Dempsey asked if there was any vegetation cut down. She said only the person working the bog did some cutting near the bog. Savery Moore advised the Board that the beach has been there. It is, for the most part, natural sand. He explained the Commission is not questioning the beach at all. He explained that the Board is concerned with is that the pond is not the same as in years past. There is a tremendous amount of algae blooms, which did not happen years ago. This is from fertilizers being used on lawns that are now close to the pond, as well as larger homes using larger septic systems, as well as the pond being tainted with non-native soils, etc. They are concerned with the bringing in of non-native materials near the pond.

Ms. Aldrich asked about an invasive plant that is in the water and wanted to know if it can be removed. She showed a picture to the Board. She was advised to get the name of the plant and then let the Commission know what it is. Ms. Aldrich also explained that the bog is mowed within 100' of the lake. Savery Moore explained that landowners should inform the Commission when they're doing

something, even if it is allowed, so that when calls are received about things happening, the Commission is “in the know”.

Another land owner on the pond asked if there are written rules for new homeowners to know what the rules are. He was advised to go the MA Environmental website. Brooke also handed him a brochure from MACC. Tim Dempsey shared CMR310 from the state and said he would share the contact information.

- Enforcement Order-Pine Ridge Condominiums – Doreen Dion and Brenda Johnson came as representatives. Brooke explained that they were notified that there was activity near the pond with clearing of vegetation and cutting of branches and looked like a beach was going to be created. The Commission discussed with the Trustees that no small beaches are allowed. There was a small pathway to a dock which was OK, but there is supposed to be no other clearing. There was another area south of the dock, that was discussed to be a wading area. The Commission said that wading area would be OK. Jim Nauen took pictures of the vegetation and that area is now wider and vegetation has been removed and lower pine branches have been removed to make a better view. Ms. Johnson showed that numerous emails about the rules have been sent to owners, as well as two letters were sent out. The new owners didn't pay attention and went ahead and did what they want. They will be held accountable to put the area back to its original condition. The trustees have been vigilant with this; however, there were no trustees around at the time the aforementioned clearing was done. Alan Germain asked what the Trustees will do regarding the fines. He explained that every owner will be assessed the fines. Savery Moore said the COC for the initial phase was approved. The second phase has not been given an approval of the COC.

It was suggested a Certified letter be sent to each of the homeowners, asking them to come to the next meeting, and that unless the affected area is reverted back by a certain timeframe, they will be fined up to maximum penalties allowed by law and the COC will not be approved.

Alan Germain made a Motion to close the Hearing on Pine Ridge Condominiums and the enforcement order, seconded by JP Flaherty, voted and passed unanimously 4-0-0.

Alan Germain made a Motion to hold the COC, send certified letters to every homeowner, indicating the possibility of a maximum fine of up to \$25,000 and potential legal action for failure to comply and also order a cease and desist on any further modification to the pond area within the 100' buffer and the individuals will be requested to attend the first hearing in August. Also replanting will be required when it will yield the best results. This was seconded by JP Flaherty, voted and passed 3-0-1, with Tim Dempsey abstaining.

BUSINESS:

None.

COC REQUESTS:

None.

MINUTES:

- To be read and approved for June 6, 2018. Alan Germain made a Motion to accept the minutes as written, seconded by Tim Dempsey, voted and passed unanimously 4-0-0.

NEW HEARINGS

LOT 6 GODFREY CIRCLE DEP#SE56A Continued till June 20th @ 7:15pm **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 7:15 p.m. on Wednesday, June 6, 2018 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent (NOI); submitted by the Applicant, Wendy Bullock; for the proposed construction of a single family dwelling and patio, with associated driveway, grading and utilities within the 100-foot buffer to a bordering vegetated wetland. The project is located at Lot 6 Godfrey Circle, Carver, MA, Map 037, Parcel 001-006. All interested parties are invited to attend.

Nicholas Leing, from Grady Consulting appeared before the Board, representing the builder. He reviewed the plans for the Commission. He turned in the green cards to Brooke. Alan Germain asked if it was going to be an asphalt driveway? Yes he said it is proposed to be a paved driveway. Savery Moore, Tim Dempsey and Brooke did a site visit today. A small section of the house is within 100' and almost all of the proposed patio within the 65' buffer zone, the material unknown, but suggested to be flagstone/impervious as opposed to concrete. Tim Dempsey suggests putting 6 posts along the 65' zone and Brooke has the plaques that they can buy. Savery Moore asked other than the signs stating that that is a wetland, is there any other guidelines in place to ensure that the homeowner does not increase the lawn or infringe on that 65' barrier. Mr. Leing is not aware of anything. Brooke said it can be put in as an OOC and hold the COC for one year after the lawn is installed. Savery Moore's second question is if the driveway will go down from the street to a garage that is underneath the house. The builder, Steve Bullock, said the main reason they are here tonight is to get the OK to clear trees for a perc test. They can't do a perc test to find where the septic will be situated. Hence they cannot speak to exactly to as-built plans. Mr. Leing said he cannot speak to the fact that the size of the septic plan is correct. The builder explained that he didn't want to start cutting down trees to do the perc and have issues with the Conservation

Commission. They are being proactive. Mr. Leing explained the design may need to be modified and if that is the case, they would come back before the Commission. Savery Moore asked are you going to start outside the 100' first? Mr. Leing replied yes. Savery Moore asked where the water will go from the driveway? To a dry well? Alan Germain said he'd like to see that addressed on the drawing. Alan Germain said the septic is about 12' off the circle and the perc can be done without clearing trees on the entire lot. Tim Dempsey said they should go in and do the perc test with just taking trees in that immediate area. Savery Moore says the Commission should allow judicious tree cutting in order to move equipment outside the 100' buffer to do perc holes if needed, and not touch anything within the 100' area. Alan Germain suggested they withdraw right now and get the perc and then come back with a plan that is etched in stone. Alan Germain made a Motion to continue the Hearing to the July 18th meeting. Seconded by Tim Dempsey. Voted and passed unanimously 4-0-0.

CONTINUED HEARINGS

None.

Alan Germain made a Motion to adjourn at 8:06 p.m., seconded by JP Flaherty, voted and passed 4-0-0.

Next meeting will be on July 18, 2018.

Respectfully submitted,

Marianne MacLeod,
Recording Secretary

EXHIBITS:

A. Sign-in sheet

CONSERVATION COMMISSION

20-Jun-18

ATTENDANCE SIGN IN SHEET

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