



approved
9/18/19

CARVER CONSERVATION COMMISSION MINUTES OF AUGUST 21, 2019 MEETING

Present: Chairman Jim Nauen, Vice-Chairman, Savery Moore, Tim Dempsey, Alan Germain, Dan Badger, Brooke Monroe, Environmental Scientist, Agent, and Marianne MacLeod, Recording Secretary.

Mr. Nauen opened the meeting at 7:01 p.m.

APPOINTMENTS/DISCUSSIONS

Informal Discussion - 4 Andrews Point Road-proposed work

Robert Andrews, property owner is here to discuss two projects to improve current conditions, clearly within 65' of Sampson's Pond. He handed out drawings and pictures to the committee members. The first project shows an existing patio 10x34, which is in disrepair from settling, there is a desire to re-grade and he would like to take a 6" step out of the design so the main portion would come up 6" in height, add to the east side of the patio, a triangular shape piece to match the westerly side and extend it out 4'. It is currently brick laid in sand. He would welcome a site visit. Brooke did go out to the site. Mr. Dempsey suggested he file an NOI and then a site visit can be done.

Informal Discussion -2 Shaw Road-beach improvement.

Ken Hansen, 2B Shaw Road, came before the Commission because Association members want to fix up the beach area. Mr. Nauen explained the policy is to bring the sand out of the pond, to the shore, and not to truck sand in. This would be by hand/shovel. Mr. Hansen thanked the members for the advice.

BUSINESS

0 Shoestring Rd.-Violation-update on site visit.

This person could not attend tonight's meeting. He is going to go out and get rid of the brush on the bogs; regarding the trails from Myles Standish he will find out about that. This will be continued.

Update on 17 Wareham Street

Chris Malewski couldn't attend tonight's meeting. He is in the process of filing a permit to run a business with more than one employee; however he is now a solo operator, but he plans on continuing the permit process. Mr. Nauen feels the Commission should

start an enforcement process due to noncompliance. He has not restored the buffering along the riverfront that he cut down completely. Brooke can contact his consultant about this as well.

Paul Gregory-DCR-dry hydrant on Barrett Pond

Mr. Nauen, Mr. Moore and Brooke went on a site visit a while ago. Michael Marquardt, Fore Fire Warden Plymouth County, Paul Gregory, Management Forester, Tom Valten, Director of Stormwater Management and Environment issues for DCR. Mr. Marquardt gave a brief history of the possibility of having dry hydrants. They rec'd \$150k grant money to implement the project. They are working with Plymouth, Carver and Wareham Fire Departments. Originally they were thinking 10 dry hydrants; however, they are now only looking to build six. They are here to get approval for one dry hydrant in Carver. Mr. Gregory explained there are no records of rare plants across the border of the pond in Carver. The Commission asked Chief Weston if he was "on-board" with this plan and he said yes. The Commission has given their support for this project.

COC REQUEST

36 Priscilla Mullens Way DEP#SE126-36

Brooke explained this project. There are no wetlands nearby. Mr. Moore made a Motion to approve the COC, seconded by Mr. Dempsey, voted and passed unanimously 5-0-0.

MINUTES

To be read and approved for July 24, 2019. Mr. Nauen requested we review and vote on the minutes at the next meeting so they can be reviewed. Everyone agreed.

NEW HEARINGS

WEATHERVANE AT PATRIOT PINES-SILVA STREET RDA Notice is hereby given, in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) (Regulations) and the Carver Wetlands Protection Bylaw (By-law), that a public hearing will be held at 7:15 p.m. on Wednesday, August 7, 2019, in Meeting Room 1 at the Carver Town Hall to hear the Request for Determination of Applicability (RDA); filed by Weathervane at Patriot Pines; to determine: (a) "whether the area depicted on the plans and/or maps referenced below is an area subject to the jurisdiction of the Wetlands Protection Act and (d) 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 to determine whether the isolated depressions created by the sand and gravel operation on the site are subject to jurisdiction

under the Regulations and/or the By-law. The project is located off Silva Street, Carver, MA, Map 67, Lots 4-3 and 4-F. All interested parties are invited to attend.

John Zimmer with South River Environmental, was here representing the project owner. He reviewed the project with Commission members. Plans were reviewed by the members. Brooke, Mr. Badger and Mr. Moore did a site walk this morning.

Mr. Germain made a Motion to close the Hearing, seconded by Mr. Moore, voted and passed unanimously 5-0-0.

Mr. Moore made a Motion to arrive at a negative determination, seconded by Mr. Germain, voted and passed unanimously 5-0-0.

RENEWABLE ENERGY PARTNERS LLC-0 REAR POND ST-DEP #SE126-587 NOI Notice is hereby given, in accordance with the provisions of the Massachusetts Wetland Protection Act and Carver Wetlands Protection Bylaw, that a public hearing will be held at 7:15pm on Wednesday, August 21, 2019 in Meeting Room 1 at Carver Town Hall to hear the Notice of Intent submitted by Renewable Energy Development Partners, LLC for the construction of a ± 1.4 MW dual-use ground mounted solar array and a ± 2.5 MW agricultural canal canopy. Subsurface utilities, support structures, and selective tree clearing are proposed within bank associated with an agricultural canal, the 100-foot buffer zone, the locally jurisdictional 100-foot buffer zone to BLSF, and the 65-foot no build zone to: BVW, IVW, bank, and BLSF, for which a variance from the Carver Wetlands Protection Bylaw is requested. This filing is submitted in accordance with the MGL, Chapter 131, Section 40 and associated Regulations 310 CMR 10.00 and the Carver Wetlands Protection Bylaw. The project consists of a solar energy facility that includes an innovative agricultural canal solar canopy and a dual-use ground-mounted array located on a portion of the Swan Holt Bog complex, owned by A.D. Makepeace, Co. known as Carver Assessor's Map 107, Lot 1-4, off of Pond Street in Carver, MA. All interested parties are invited to attend. A copy of the plan is on file at the Planning Department and may be reviewed during normal business hours.

Sarah Stearns from Beals & Thomas and from Renewable Energy & Development are Hank Ouimet and Tom Melehane were present. Ms. Stearns explained the project. The project encompasses 570 acres. Plans were shared with the Commission members. There are two parts – one solar canopy over the bypass canal; the panels are sized based on the canal. They would be a fixed panel. The use of the canal would not be changed by this project. Tree clearing is being kept to the bare minimum.

The second part of the project involves a ground-mounted array, on the same property, in a wooded area adjacent to the bogs. This part of the project is being designed as a dual-use project. There would be another crop installed after the site work and installation is completed. There will be improvement of an existing gravel road as well.

Local abutters had a few questions and requested to look at the plans. Their questions were answered by the three representatives and Commission members.

Mr. Germain made a Motion to close the Hearing, seconded by Mr. Badger, voted and passed unanimously 5-0-0.

Mr. Germain made a Motion to approve the OOC, as drawn and shown, seconded by Mr. Moore, voted and passed 5-1-0. Mr. Dempsey shared his concerns about the canopy on the canal. He feels a study should be made on this as it is the first time this type of project has been done.

CONTINUED HEARINGS

19 SOUTH MAIN ST. NRAD DEP#SE126-583

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, July 24, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Abbreviated Notice of Resource Area Delineation (ANORAD); filed by Bradshaw Real Estate Trust. The Applicant is requesting, through the ANRAD, that the Carver Conservation Commission confirm the wetland resource areas on the property. The project is located at 19 South Main Street, Carver, MA, Map 87, Lot 2-13A. All interested parties are invited to attend.

This Hearing was continued at the request of the property owners because the consultant for the Commission hasn't reviewed the project yet.

NEXT SUN ENERGY SOLAR OFF ROCHESTER RD. NOI DEP#SE126-586

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 19, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by NextSun Energy, LLC; for the proposed construction of a dual use cranberry/solar facility. The proposed dual use solar project is within the active cranberry bogs and the areas used for the production of cranberries and; therefore; portions of the work are within resource area bank, bordering land subject to flooding, bordering vegetated wetland (BVW) and within the 100-foot buffer zone to BVW and bank. The project will require a variance from the Carver Wetlands Protection Bylaw for the work within the 65-foot buffer. The project is located off Rochester Road, Carver MA, Map 92, Parcel 8, 9, 14, 15, 16, 17, 20 and 22, Carver, MA. All interested parties are invited to attend.

Sarah Stearns from Beals & Thomas was present, along with Adam Schumaker from Next Sun Energy. There was a site visit, reviewed the project and a couple of changes they have made to the original plans. They shared revised plans with the Commission members.

Mr. Moore made a Motion to close the Hearing, seconded by Mr. Germain, voted and passed unanimously 5-0-0.

Mr. Germain made a Motion to approve the NOI changes, as drawn in the revised plans, dated August 21, 2019, seconded by Mr. Moore, voted and passed unanimously 5-0-0.

Brooke shared a letter with Mr. Nauen that was received from Jeffrey Merritt and Joseph Bazzinotti, 14 Andrews Point Road regarding their neighbors, Mark & Rebecca Bennie of 22 Lakeview Street, regarding composting and vegetation waste that abuts their property. Mr. Nauen feels this isn't under Conservation Commission. Brooke explained that a fence was put up and goes down to the water's edge. The piles have created a dam. Mr. Nauen asked to have the property owners at 14 Andrews Point Road, as well as the complainants to the next meeting.

Next meeting: September 18, 2019.

Mr. Germain made a Motion to adjourn, seconded by Mr. Dempsey voted and passed unanimously 5-0-0.

Respectfully submitted,

Marianne MacLeod
Recording Secretary