



*approved  
5/20/2020*

## CARVER CONSERVATION COMMISSION MINUTES OF MARCH 4, 2020 MEETING

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

Mr. Nauen opened the meeting at 7:00 p.m.

### **APPOINTMENTS/DISCUSSIONS:**

#### **Ali Yildiz 24 Gate Street-Potential Solar Project**

Mr. Yildiz, from Arcor Energy, came before the Commission. His company does solar development. They have some concerns about the property and wanted to come before the Commission to discuss them. He reviewed a current google map picture and an older picture, which he distributed and reviewed the topography of the property. They believe the bog is 83 years old. The previous owner says it is over 150 years old. They believe boring results may not be true and they're looking for an opinion from the Commission before submitting an RDA, to confirm that it is truly an upland bog. It would be a ground mounted solar project and they would no longer produce cranberries. The property would need to be removed from 61A status and go back to the full tax level for the agriculture classification. Mr. Yildiz said the property is not under 61A due to its size. He was advised to complete an RDA and submit soil info that they have. This information may prove that it is an upland bog. The bog is 1.09 acres. The solar project would be under an acre, with 250Kw power generation.

#### **38/44 Lakeview Street-Public Records Request**

Brooke wanted to discuss this due to a letter received. There is nothing to provide.

### **BUSINESS:**

19 South Main Street DEPSE 126-583 Superseding Order of Resource Area Delineation Brooke reviewed this for the Commission members. DEP did their review and confirmed what the Commission's representative had said. They walked the entire site. They agreed that the stream is intermittent and not perennial.

132 Plymouth Street-Request to cut trees

Brooke did a site visit and shared a picture she took and felt it didn't require attention of the Commission. OK was given to remove.

26 Wenham Road-Request to cut trees

Brooke went and looked at this. White pine tree leaning towards the house and it is not necessary for the Commission to do a site visit. OK was given to remove.

### **COC REQUEST:**

None

### **MINUTES:**

To be read and approved for January 22, 2020. Mr. Germain made Motion to approve the minutes as written, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

### **NEW HEARINGS**

SPRING STREET-RPBP LLC – DEP SE#126-596

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, March 4, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by RPBP, LLC; for the proposed construction of a single commercial building, parking area and associated utilities. A corner of the proposed building; a portion of the parking area; and some associated grading is located within the 100 foot buffer zone to Ricketts Pond (resource area bank, land under a waterbody/waterway and bordering vegetated wetland). The proposed well and some of the proposed utilities and grading are located within the 65-foot buffer protected under the Carver Wetlands Protection By-law and therefore will require a variance under the By-law. The project is located off Spring Street, Carver MA, Map 32, Lots 5-E, 6-A, 6-BN, 6-CN, and 6-DN Carver, MA. All interested parties are invited to attend.

Mr. Erik Schoumaker from MacKenzie Engineering Group, representing RPBP, LLC came before the Commission. There was a site visit this morning. Brooke feels it is pretty cut and dry. He is here to discuss the Form A lot, which was developed separately from the sub-division, which was approved in 2019. The wetland line was approved under an ORAD and an NOI was developed. A drainage easement was carved out on the Form A lot. The Form A lot design is currently in the site review process. They will be attending a Planning Board meeting in the future, with a site visit from members tomorrow. It consists of 2.97 acres. He reviewed the project - 7,400 sq. ft. building with

parking, landscaping and utilities. The site will have access from Spring Street. Mr. Germain subcontracts with the owner of this development; he is not working with them right now, but wanted to disclose this. They will apply for variances for all activity within the 65' foot buffer zone.

Dorothy Pollitt, an abutter came before the Commission. She is questioning the water near the proposed building site. She showed a drawing to the members. She shared some pictures of the property with members. The wetland delineation was approved less than three years ago and the area of concern is not considered a wetland and does not qualify as one.

Mr. Moore made a Motion to close the Hearing, seconded by Mr. Badger, voted and passed unanimously 4-0-0.

Mr. Moore made a Motion that the Commission approve the Hearing as presented, with the order of conditions from the agent, seconded by Mr. Germain, voted and passed unanimously 4-0-0.

Mr. Germain made a Motion to approve a variance for the 65' delineation for the purpose of grading and planting, as on the drawing, with order of conditions i.e., silt fencing and signage, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

## **CONTINUED HEARINGS**

### **201A TREMONT STREET – DEP SE#126-595**

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, January 22, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent (NOI); submitted by the Applicant, Danny Warren; for the proposed demolition of the existing single family dwelling; and construction of a new dwelling at the same location, with associated subsurface sewage system, utilities and grading within the 65- and 100-foot buffer to Sampson's Pond and an irrigation canal. The proposed work is within the 65-foot buffer protected under the Carver Wetlands Protection By-law and will require a variance under the By-law. The project is located off Tremont Street, Carver, MA, Map 7, Lot 2. All interested parties are invited to attend.

Bob Rogers, GAF Engineering came before the Commission. He gave a review from a previous Hearing and the fact that they may have to go before the ZBA. He spoke with the Building Department and was told as long as they stay within the footprint, they do not need to go before the ZBA. At the last meeting additional building plans, pertaining to the foundation, were requested. Brooke shared updated plans with the members. Mr. Francis, the Carver Building Inspector reviewed the plans as well. Mr. Rogers reviewed the revised plans. The property owner gave an overview of the plans for the new home.

Larry Harju, an abutter, spoke up and said he is glad to see this improvement and he supports the project.

Mr. Germain made a Motion to close the Hearing, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

Mr. Germain made a Motion to approve the project and variance, as required to be within the 65' buffer zone, with the order of conditions, seconded by Mr. Moore, voted and passed unanimously.

Mr. Germain made a Motion to allow Mr. Dempsey to take a sabbatical from the Commission as needed due to family health problems, seconded by Mr. Moore, discussion: subject to a future revision, voted and passed unanimously 4-0-0.

Mr. Germain made a Motion to adjourn, seconded by Mr. Moore voted and passed unanimously 4-0-0.

Respectfully submitted,

Marianne MacLeod  
Recording Secretary