



*approved  
6/3/2020*

## CARVER CONSERVATION COMMISSION MINUTES OF MAY 20, 2020 MEETING

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

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

### **APPOINTMENTS/DISCUSSIONS:**

Division of Fisheries & Wildlife-Wenham Shores Property and Property Off Meadow St. Brooke shared that a couple of properties were to be auctioned off; one access off of Wenham Shores, the Fish & Wildlife want to purchase this property so abutters can have access. Off Meadow Street is another area they want to purchase, just to keep.

Jay Peters-Eagle Scout Project: Cole Property Maintenance

Mr. Badger shared information to the Commission regarding this Eagle project at the Cole Property.

Mr. Peters presented his plan to replace the bridge that collapsed on the Cole property. He feels this would be better for people visiting the property. He will use pressure-treated wood so that it will last longer. The Boy Scouts could maintain the bridge. He will be asking for donations of lumber from local contractors and hardware stores. The remnants of the old bridge can be removed and taken to a compost facility or even just left to compose as it's mainly logs. They plan to not use any equipment and all materials will be carried in, perhaps with canoe dollies. The bridge will be 18' long and 5' wide. The Commission members are all in support of this project and wish him good luck.

### **BUSINESS:**

Discuss Conservation Land Acquisition Fund - Brooke informed the Commission that this was on the agenda for members to discuss the second half of this discussion from a previous meeting with Mr. Malinowski. Mr. Moore reviewed what was discussed before. If a Cap is set for the Fund, equaling 5% of the Town budget, it would be \$579,000. The fund had \$616,000 in it as of April 9<sup>th</sup>. Mr. Moore feels setting a floor of 2% of the

Town budget, it would be approximately \$220,000+, which is double what was determined before. These funds could be utilized other than the voter-approved for state-wide emergencies.

Mr. Germain shared his thoughts, as both a Commission member and the Finance Committee Chair. He feels it should be left alone to grow and grow. He feels the Town could come before the Commission if an emergency and request money. He also thinks there should be more oversight, i.e., perhaps the Finance Committee, Select Board, etc.

James Breech-Solar – Brooke didn't hear from them.

3 Walrit Lane- Garage - Brooke shared some pictures and explained the new owner wanted to put a shed in, on the other side of the road, away from the pond. Brooke didn't realize there is a wetland behind the location of the shed. She said he will file an after-the-fact NOI.

Mr. Germain made a Motion to ask property owner to file an after-the-fact NOI, seconded by Mr. Badger, voted and passed unanimously 4-0-0. There will be conditions when he comes before the Commission.

#### **COC REQUEST:**

None

#### **MINUTES:**

To be read and approved for March 4, 2020 and April 9, 2020.

Mr. Germain made a Motion to accept the minutes as written for March 4, 2020, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

Mr. Germain made a Motion to approve the minutes for April 9, 2020 as written, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

#### **NEW HEARINGS**

##### **0 NEL BONNEY**

**NOI DEPSE#126-597**

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, (April 1, 2020) May 20, 2020, in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on

behalf of Michael Macuch; for the construction of a single family dwelling, with associated subsurface sewage disposal system, drinking water well, driveway, utilities and grading. The dwelling, deck and grading are proposed within the 100-foot buffer zone to wetland resource area isolated vegetated wetland and the drinking water well and supply line are proposed within the 65-foot buffer.

The Applicant is requesting a variance from the Carver Wetlands Protection Bylaw, Section 9.2.1.3 (3), for the activity within the 65-foot buffer protected under the By-law.

The project is located at 0 Nel Bonney Road, Carver, MA; Map 30, Lot 2-1B. All interested parties are invited to attend.

Mr. Bob Forbes from Zenith Consulting Engineering is here to represent the Applicant. He joined the meeting via Zoom. He reviewed the project. The property is an existing lot created in 1975. The lot has a current drainage easement on the west side of the lot. The property owner purchased the lot in 1981. Jamie Emerson is currently under agreement to purchase it to build a house.

There was a site visit done today. There would need to be a variance by the BOH for the placement of the well.

Larry and Noel Walsh, abutters called in. Mr. Forbes gave another quick overview. Mr. Walsh shared a couple of his concerns, which he discussed at today's site visit with Commission members. He wants to be assured that the drainage area at the end of his driveway remains the same. Mr. Forbes said the drainage areas will not be touched. Mr. Moore reviewed the concerns discussed before Mr. & Mrs. Walsh called in.

Mr. Moore wants it to be known that if the Commission gives permission, it would be a case of hardship – there is no other alternative to build on this property. The wetlands and buffer zone take up approximately 80% of the lot.

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

Mr. Moore made a Motion to approve the variance for the water line, proposed water surface through 65' buffer, seconded by Mr. Germain. Voted and passed 3-1-0.

Mr. Moore made a Motion to approve the NOI for 0 Nel Bonney Road, based on conditions set forth by the agent, seconded by Mr. Germain, voted and passed unanimously 4-0-0.

#### **4 ANDREWS POINT ROAD**

**NOI DEPSE#126-598**

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 7:30 p.m. on Wednesday, (April 1, 2020) May 20, 2020, in

Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on behalf of Robert Andrews; for the razing of an existing porch to be replaced with an addition in the same footprint; replacement of a cobble walkway; and the enlargement of the patio, both to be replaced/constructed with new pavers. The proposed work will occur within the 65- and 100-foot buffer zone to wetland resource area inland bank associated with Sampson's Pond.

A variance from the Carver Wetlands Protection Bylaw, Section 9.2.1.3 (3), is required for the activities within the 65-foot buffer protected under the By-law.

The project is located at 4 Andrews Point Road, Carver, MA; Map 1, Lot 15-0-R. All interested parties are invited to attend.

Mr. Steve Katowski, from Webby Engineering, joined the meeting via Zoom, representing the property owner. He reviewed the proposed project. The plans are to work within the confines that are already there. All landscape/patio work would be done by hand.

An informal site visit was done back in the Fall. At that time, Mr. Moore thought the applicant was going to raise the area outside the porch so there wouldn't be a step-down. Mr. Katowski was not aware of this.

Mr. Germain made a Motion to close the Hearing for 4 Andrews Point Road, seconded by Mr. Badger, voted and passed unanimously 4-0-0.

Mr. Germain made a Motion to approve the work at 4 Andrews Point Road, as drawn, with conditions that the patio not to be increased from the existing grade, seconded by Mr. Badger, voted and passed unanimously 4-0-0.

## **0 FULLER STREET**

## **ANRAD**

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 7:45 pm on Wednesday, (April 15, 2020) May 20, 2020, in Meeting Room 1 at Carver Town Hall to hear the Abbreviated Notice of Resource Area Delineation submitted by Johnson Bros. Cranberry LLC for the confirmation of wetland resource area boundaries including BVW, IVW and cranberry bogs. No work is proposed as part of this filing.

The Property is located between Forest and Fuller Streets, Carver Assessor's Map 50, Lot 8 (Johnson Bros. Cranberries, LLC) and Lot 10A (Johnson Cranberries Limited Partnership). All interested parties are invited to attend. A copy of the plan is on file and may be reviewed by contacting the Planning Department via email at [debra.deneen@carverma.gov](mailto:debra.deneen@carverma.gov) or the Conservation Office via email at [brooke.monroe@carverma.gov](mailto:brooke.monroe@carverma.gov)

Sarah Stearns joined the meeting via Zoom, representing the property owner. She reviewed the project and went through the plans provided. This is mainly to confirm the resource areas. No work is proposed.

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

Mr. Germain made a Motion to issue the NRAD for 0 Fuller Street, as drawn on the plan dated 03/30/2020, with the larger 20 acre bog being designed as 13 acres of upland and 7 acres of wetland bog, seconded by Mr. Badger, voted and passed unanimously 4-0-0.

### **CONTINUED HEARINGS**

**NONE**

### **UNANTICIPATED:**

Brooke met with Brian Grady and Mr. Roderiques regarding 20 Gate Street. He is going to be doing some bog maintenance, but there is a strip of roadway that comes in and he wants to see if he could pave it. It is eroding out into the side of the bog. The Commission would like to see a plan of exactly what he is going to be doing. Brooke will let him know. They would also like to have a site visit.

Mr. Germain shared that Mr. Dempsey sold his home and moved to Sandwich, MA. There is now a vacancy on the Commission.

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

Respectfully submitted,

Marianne MacLeod  
Recording Secretary