



*approved
9/2/2020*

CARVER CONSERVATION COMMISSION MINUTES OF AUGUST 19, 2020 MEETING

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

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

APPOINTMENTS/DISCUSSIONS:

Patrick Garrard-work at 110 High Street – Brooke explained they did a site visit today. He would like to cut some trees and put in a pool. He was told he has to get the wetlands delineated again and come before the Commission. There were two trees that can be cut due to safety issues. He won't be doing any work right away. There will be another site visit once that report is complete.

Potential violation-134 Main Street – Brooke sent a letter of violation to the property owner. He called her upon receipt of the letter but couldn't make the meeting. He said to come the property for a site visit and told Brooke that he has goats. Mr. Badger said there is a barn on the property. Brooke will set up a site visit.

BUSINESS:

South Meadow Village – Trimming of shrubs. Brooke met with the property manager. They want to trim the tops of a few trees. They did this last year and just wanted to let the Commission know.

Appointments to the new Ad Hoc Committee. Mr. Badger gave an overview of this Committee and what the members will be doing. This group would be advisory. Further discussion will be held at the next meeting.

COC REQUEST:

None.

MINUTES:

To be read and approved for July 8, 2020. Mr. Germain noted under Business the Motion by Mr. Germain was actually made by Mr. Moore and seconded by Mr. Badger. Mr. Germain made a Motion to accept the minutes as corrected, seconded by Mr. Badger, voted and passed unanimously 4-0-0.

NEW HEARINGS

27 WENHAM ROAD – DEP #126-604

ANRAD

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, August 19, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Abbreviated Notice of Resource Area Delineation (ANORAD); CVE North America, Inc. The Applicant is requesting, through the ANORAD, that the Carver Conservation Commission confirm the wetland resource areas on the property. The project is located at 27 Wenham Road, Carver, MA, Map 100, Parcels 5, 6 and 7A. All interested parties are invited to attend.

Asa Smith from Atlantic Design Engineers is present tonight. He represents CVE North America. There was a site walk today and confirmed flagged areas. Brooke explained the main issue is designation of upland bogs. Mr. Moore shared several maps that were handed out covering more than 100 years. He would like to have a consultant review this. Mr. Moore would like to also have soil samples. Mr. Germain made a Motion to ask the applicant to hire a consultant to obtain soil samples to help make the determination of wetland vs. upland bog and report back to the Commission, seconded by Mr. Nauen. Discussion: An abutter, Margaret Wood, from 31 Wenham Road said she has lived in the area for many years and explained the river was used to water the bogs and there is a dam that was used to keep water levels from Wenham Pond low at times. Ryan Young, the Business Developer for CVE North America, Inc. questioned the use of soil samples to determine the wetland vs. upland and Brooke explained how they were used by a consultant at a previous project. Mr. Germain amended the Motion to request Peter Fletcher go forward and do this Motion, seconded by Mr. Nauen, voted and passed unanimously 4-0-0. Mr. Germain made a Motion to continue this Hearing to the September 2, 2020 meeting, seconded by Mr. Badger, voted and passed unanimously 4-0-0.

PINE STREET-EDAVILLE HOLDINGS - DEPSE#126-603

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 7:30 p.m. on Wednesday, August 19, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on behalf of

Edaville Land Holdings LLC; for the construction of two common driveways to access four building lots. The construction of the driveway will involve five crossings of an existing ditch associated with the abandoned cranberry bogs. The proposed driveways are within the 65 and 100-foot buffer zones to the cranberry bogs and will require a variance from the Carver Wetlands Protection Bylaw, Section 9.2.1.3 (3), for the activities within the 65-foot buffer protected under the By-law. The project is located off Pine Street, Carver, MA; Map 86, Parcel 11 and 12. All interested parties are invited to attend.

Arthur Borden appeared before the Commission representing Edaville Land Holdings LLC. He explained the project and was at the site walk this morning. Members reviewed the drawings. This is only for the driveways. They would come back if necessary when they're ready to build houses. Mr. Badger asked for clarification of driveway vs. road, vs. easement, etc. Mr. Borden explained they would do one road to service all 4 lots, this plan is much less intrusive. The driveways would be over existing areas already used by the bogs. Mr. Badger asked if all four house lots could be accessed by one driveway. Mr. Borden said traditionally there are only two houses sharing a driveway. Mr. Germain asked who would maintain the driveway. Mr. Borden said it would be the two homeowners. There are easements granted by the Planning Board. The driveways will be covered with ground asphalt material.

Alan Fletcher, 1 Morrissey Drive spoke up. He is concerned about this project and the effect that four houses would have on the surrounding properties with regards to the water table. The plans he originally got a month ago are completely different than the plans provided tonight. He asked multiple questions. He got the plans off the town website. They were not the proposed plans here tonight. He then asked the process once the driveways are put in. They would have to come before the Commission for Lot 2. This Hearing is to approve the 3 new culverts and 2 repairs/upgrades of existing culverts where the driveways would go over drainage ditches. Mr. Borden said the next step would be the Building Department.

Abutter, Kim Branch, 2 Cherry Hill Drive, questioned why the property owner bought the land knowing that there are wetlands with the intent to build. She also questioned a portion of the drawing. Mr. Borden explained the lots and proposed driveways.

Brenda Johnson, representing Edaville Land Holdings LLC addressed Ms. Branch's concerns. She explained they purchase the property across the street, inside the park, and that included this property as a "package deal".

Another abutter, Cristina Tapia, also shared her concerns and that she is very upset that this project is being considered.

Mr. Fletcher feels this was approved before the meeting tonight and this is a sub-division in disguise.

Mr. Badger said that members of the Commission are volunteers and explained how they vote based on their prevue, using State and Town By-laws.

Ms. Johnson shared that they are not going to be building the houses and that the lots will go up for sale.

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

Mr. Nauen made a Motion to approve the NOI, seconded by Mr. Badger, voted and passed 2-1-1 with Mr. Germain abstaining.

Mr. Nauen made a Motion to approve the variance on the plans with work to be done within the 65' buffer zone, with conditions put forth by agent including erosion controls, installation of signs, seconded by Mr. Badger, voted and not passed 1-2-1 with Mr. Germain abstaining.

CONTINUED HEARINGS

None.

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

Respectfully submitted,

Marianne MacLeod
Recording Secretary