

approved
4/17/21



CARVER CONSERVATION COMMISSION MINUTES OF MARCH 17, 2021 MEETING

Present: Chairman Savery Moore, Vice-Chairman Jim Nauen, Alan Germain, Peg Blackwell, Environmental Scientist/ Agent Brooke Monroe, and Recording Secretary Ashley Swartz.

Mr. Moore opened the meeting at 7:02 PM

Discussion

Meadow Street Violation

The owner Bruce was present for this meeting. Bruce plans to put this land back into production (working bog) and his expected timeline is sometime this year. There was an abutting neighbor (Lauren from 185 Meadow) also present at the meeting asking questions about the status of the property and stated the research she had done showed the property was in 61A (Agricultural status) and therefore could not build on the property. Her biggest concerns involved a previous perctest being done, the road being built, and the 61 lien on the property. It was clarified for the neighbor that a perctest is done so a farmer knows if he can get water. Bruce also confirmed that he never signed a 61A so it must have been done with the previous owner which was 1991. Mr. Germain suggested that Bruce go to the Assessor's Office and put the property back in 61A. Bruce also confirmed that he applied for a Farm plan and is beginning work on the bog. After he and Lauren addressed the Commission, the two continued to discuss concerns and how they would communicate with one another moving forward.

Cranberry Acres Campground (Shady Acres) Pond Maintenance

Parent company, Northgate Resorts – known as Shady Acres, off of Shoestring Road came in to discuss the recreational use of Ben's Pond. There will be exploratory research done starting in June using an aquatic specialist – concerns the weeds and vegetation, aerating the pond and making the pond healthier overall. The purpose of coming before the Commission was to get their blessing and understand what needs to be done in order to do this the right way. There have been reports of both people and animals getting sick by swimming in the pond – which has initiated this exploratory research. They will do the research and enhance the beach. If this plan changes, they will return to the Commission.

Mr. Moore mentioned the algae blooms between May and October two to three times a year and suggested that because of this, they may want to do the testing earlier than June. It was asked if leaves and "such" can be raked when the tide is low and it was confirmed that it is allowed – the only thing that is not permissible is importing sand from other locations. Mr. Germain also suggested that the Board of Health has to confirm the pool is swimmable, they may have to do

the same for the pond – it would be wise to check with them regarding the pond. Mr. Moore also noted that if any docks are placed in the water, they must be removable – anything left in the water for the winter will freeze. Shady Acres was advised to call and speak with Brooke if anything was to come up with their research or if any questions arose.

Violation – 238 Tremont Street

Trees down around the bog and no one on the Commission was notified. Damon Rosenthal was present – grandson of the owner Priscilla. The property has been vacant for 29 years. His cousin Christine was also present and showed pictures of the property.

There was an application for demolition and the uncle demoed the house prior to receiving the permit – family owns several adjacent properties and will own these properties for the foreseeable future. The plan is to clean up the property and leave it until they determined what they wanted to do with it. Mr. Moore explained that this is appreciated, but the concern is primarily the trees near the bogs and the river. There were two (2) dead trees in this area and the majority of the trees they took down were outside the buffer zone. It was explained that the river has to take precedence when we talk about tree removal and because the clearing already took place, the solution would be to clean up what has been taken down within the 100 feet, let everything grow back naturally, and keep up the regular maintenance (i.e., grass cutting) as necessary. In addition to the discussion of how to resolve the clearing of trees, Mr. Germain suggested to amend the existing permit to include the garage demolition to save money and time.

201 Tremont Street – Wall Construction

There was never a wall in the original plans – a cease and desist needed to be issued. Mr. Germain made a motion to issue a cease and desist as well as a stop work order at 201 Tremont Street regarding the construction of the stone wall. Mr. Nauen seconded the motion. The motion passed unanimously 4-0-0. Brooke would invite the owners in for a discussion regarding the work.

Vote to accept parcels of land for custody of Conservation Commission

Sarah Hewins previously came before the Commission regarding parcels of land but a vote was never made regarding whether or not they would accept the parcels.

Mr. Germain made a motion to accept the parcels. Mr. Nauen seconded. Motion was approved unanimously 4-0-0.

By Law Wetlands – Link to fee structure

By-Law Wetlands instead of putting a list of the fee structure, as governed by the state, there is a link to the fee structure so we do not have to change the by-law again.

Mr. Germain motioned to include a link to the fee structure in the by-law changes. Ms. Blackwell seconded, approved 4-0-0.

Audubon Site Visit – Cole Property – March 29, 2021

Representative will be doing their monitoring, Meet at Pleasant Street at 10:30

Lot 8 Ewell Street (NRAD DEP #126-)

Rob Carlzon from K&G – house, driveway and septic outside the zone but well and tree clearing inside the 100 feet (74 feet). All proposed work will take place outside of 65 feet. Mr. Moore

noted that location of the zone is perfect but when they visited the site, they noticed there is quite a bit of tree clearing within the buffer zone. He said the Commission will need to see a revised plan with the tree line changed because the 100 feet is protected and there is a lot of room that can be cleared for yard space. Mr. Moore concluded by saying they would approve the well but they would condition it to leave as many trees as possible. Rob argued that graded land was difficult to clear and Mr. Germain added that the Commission would like to review the plan for the entire development – the Commission was likely to be more agreeable if they knew what was beside each lot. Mr. Moore agreed with what Mr. Germain was saying. After some back and forth, an agreement was met between the Commission and Rob on a revision of the tree line. The proposed tree line would be half the distance where it currently is, there will be three (3) posts on the 65 ft tree line, and the well positioning will be approved. The updates were made on the drawings and signed by the members of the Commission. Mr. Moore requested an overall plan and 100-foot buffer should avoid tree cutting at all costs – any cutting required would need permission. Mr. Germain motioned to close the hearing, seconded by Mr. Nauen, approved unanimously 4-0-0. Mr. Germain motioned to approve the RDA with negative determination for the February 12, 2021 plans, revised March 17, 2021. Ms. Blackwell seconded. Approved unanimously 4-0-0.

Montello Street Intersection (DEP SE#126-)

Wayne & Chris regarding the new/modified intersection at Montello Street – designed to handle larger trucks, new pavement, replace existing culvert all in conjunction with future project. The project has roughly 2000 square feet of overall wetland impact: portion of work in Riverfront area, grass swale being proposed to direct water to gravel wetland, excavate replication area down to give chance to succeed, plant list proposed (native plants) to enhance the habitat, small amount of bank impact with head wall being replaced, and culvert will be one (1) foot longer but two (2) times as wide (has a lower profile). Mr. Germain questioned what was happening to old Montello. There will be no change – they will remove sections of pavement, install signage and continue to access the plaza – there will be no access to the industrial park. They will leave as much of the existing road as possible because of an abutter and will put trees to dissuade people from going down the road. Mr. Moore asked about timing and was told that the timing isn't certain but there is a proposed timeline – May is the bid, early mid-summer work, finish spring of 2022.

A Montello Street resident was present for the meeting and said he had read a Department of Environmental Impact Statement last summer that a culvert was not a satisfactory solution for this particular area and that a bridge was a better solution. Mr. Moore said that the proposed culvert is similar to a bridge but it is lower, sustains heavier weights, and has no bottom so it is better for a natural flow than the existing culvert. Mr. Germain noted that he was not aware of the requirement of a bridge. Wayne said their proposed solution was better and that a bridge was only necessary for 10 feet or greater. Chris said they would look into Gordon's concerns and Mr. Germain wanted this hearing continued until the DEP issued a file number and they had the environmental impact report requested from Wayne and Chris.

Another neighboring resident, Constantine, owns 29 acres across the street and was concerned about having access to his property. He has coordinated with Wayne and Chris and they have worked his access into their plans.

Mr. Germain made a motion to continue the hearing. Motion seconded by Ms. Blackwell. Approved unanimously 4-0-0. This has been continued until April 7th (3 weeks).
Mr. Germain made a motion to approve the minutes. Seconded by Mr. Nauen, approved unanimously 4-0-0.

Minutes read and Mr. Germain motioned to approve. Seconded by Mr. Nauen. Motion to approve minutes approved unanimously 4-0-0.

Mr. Germain made a motion to adjourn, seconded by Ms. Blackwell, approved unanimously 4-0-0.

Meeting adjourned 9:06 PM

CONSERVATION COMMISSION

17-Mar-21

ATTENDANCE SIGN IN SHEET

PRINT NAME	CONTACT INFORMATION	EMAIL or PHONE
JP Dansereau	Cranberry Acres -	615-636-6360
DANIEL ROSSIGNOL	238 TRENT STREET	860-888-2176
ELISE MARIS	MASON ST	508-725-7631
Carren Kopp	Meadow St	860-727-2440
Rob Carleton	Lot 8 Euclid St.	781-585-2300
Christopher Wagner	VHB 101 Walnut St. Watertown MA	617-607-2653
WAYNE Amico	VHB 101 Walnut St, Watertown	617-607-1577
GORDEN MASSINGHAM	24 MONTVILLO ST.	617 658 5730
CONSTANTINE PAGANIS	PO MONTELLO	617 594 5976