



approved
5/19/21

CARVER CONSERVATION COMMISSION MINUTES OF MAY 5, 2021 MEETING

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

Mr. Moore opened the discussion at 7:02 PM.

201 Tremont Street – Wall Construction (continued to 5/19/2021)

134 Main Street – follow up

Went back and didn't see that anything had been done since last visit. No plans to do anything else. Mr. Moore said the Commission still needs to have him come in to rectify what has been done.

Bunny's Road Complaint – follow up

It has been agreed that what is at the property is more than just construction debris – it was waiting to be picked up for recycling. The owner did not say when it was going to be picked up but Brooke said she thinks everything should be removed. Mr. Moore asked if we could find out when it would be picked up the Commission could go back after to see what was still there after that date (to assess if anything remained). Mr. Nauen asked if we should give her a timeline as to when it should be removed but Mr. Moore thinks we should try to contact her before the next meeting and discuss at the next meeting. If she does not have a pick up date we can have her come in the first meeting in June.

38 Bunny's Road

A call from a gentleman from the property and has a dead tree and he wants to know if someone can cut it off and if someone can keep the stump and create a bird bath with the trunk. It was agreed that this was "okay" and he could move forward since the root system will be in tact.

61 Crystal Lake Drive – request for tree cutting

Has a tree near her house that is dead – Brooke gave them the okay to cut.

Quitclaim deed 44 Lakeview Street

Approve the transfer \$400,000 from the Conservation Commission Land Acquisition Fund for the purchase of the property of the property at 44 Lakeview Street, Carver, MA 02330 and any associated legal, accounting, and closing fees.

Mr. Germain made a motion to approve. Seconded by Mr. Badger, approved unanimously 5-0-0.

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Mr. Germain made a motion to approve minutes, seconded by Ms. Blackwell, approved unanimously 5-0-0.

196 Tremont Street – Minor Modification

Site under construction currently and a geotechnical investigation led to discovering that the groundwater elevation varying more than originally thought. The site sits adjacent to the bogs and the groundwater elevations of the sites came up very quickly when the bogs were flooded. The modification would require installing a French drain system to capture the run-off in the central part of the site to capture the water. This drain system provides storage for the run off and is connected to the bog system. This will take care of the construction situation but the plan would be to make it a permeant structure. Brooke asked if this impacted the layout of the panels or impeded the buffer-zone, it does not. Brooke said this does not required an amended order. Mr. Germain suggested to sign a copy of the modification. Motion to approve the minor modification by Mr. Nauen. Seconded by Mr. Germain, unanimously approved 5-0-0.

40 Fuller Street NOI SE #126-619

Sarah Sterns presented the construction of a 5MW conventional solar energy facility located in upland bog (2 pieces) with access off of Fuller Street. Order of conditions for work proposed in 65ft & 100 ft buffer zones. There is no work proposed within naturally occurring adjacent wetlands – all work within upland bogs. Mr. Germain noted that they were happy to hear that the access to the bog was through a deeded easement. This establishes that the owner of this bog can get to the bog no matter what, in perpetuity. From his standpoint, this project looks really good. Mr. Moore noted the drainage on the southern ditch of the northern bog – he asked how this was going to be rectified and he asked that any revised plans get to Brooke. He also mentioned that on the plans of the northern array, the eastern side showed the fence, he said the dike needed to be added to the plans (in the “as build”) so there was a completed set of plans.

Sarah agreed to add the fence into the plans as it was finalized.

Mr. Germain made a motion to close the hearing, Ms. Blackwell seconded. Approved unanimously 5-0-0.

Mr. Germain motion to approve as drawn revised 3/26, Ms. Blackwell seconded, unanimously approved 5-0-0

Grant variance Mr. Nauen, seconded Mr. Germain, approved unanimously 5-0-0

204 Plymouth Street NOI SE #126-621

Sarah Sterns, Beals and Thomas

Presented plans for a Conventional Solar Array, 6.2MW, retire bogs beneath, and equipment pad, requiring a variance for work proposed within 65ft & 100ft buffer zones. BVW & IBW no work proposed within naturally occurring wooded, vegetative wetland. This project has not yet been reviewed by the Planning Board (later in May). Mr. Moore asked if the access was further east on Plymouth Street. Sarah confirmed it was a “legitimate access point” saying it was gated. Resident from the area (216 Plymouth Street) was present due to his concern about what he would be looking at from his property. Sarah showed him where his property is and explained to

him that the Planning Board meeting is the appropriate forum to discuss the visual impact of how this project affects the neighbors. He was agreeable that he should attend that meeting. Mr. Germain explained that according to today's site visit there are not trees coming down that would impact the neighbors. Mr. Germain motioned to close the hearing, Mr. Nauen seconded, approved unanimously 5-0-0. Mr. Germain motion to approve plans as drawn issued for permitting 4/15/2021, seconded by Mr. Badger, approved unanimously 5-0-0. Mr. Nauen motioned to approve variance, seconded by Mr. Germain, approved unanimously 5-0-0.

370 Tremont Street NOI SE #126-

Sarah Sterns, Beals and Thomas, "The Meredith Property" a dual use project, wetland and upland and the bogs will be continued to be farmed and the panels will be installed at an increased height and spacing. The panels will continue the sun throughout the day – 28 acres in Wareham and 6 acres in Carver. The access, interconnection is in Wareham – reason for NOI, although working in agricultural land, with some overlay in BVW (roughly 110 square feet) proposed. There was a request for a variance in the local 65ft buffer zone.

Just off of existing road

Fence, continuing to work with the bog owner – allow for continual cultivation will help keep farms like this going (commercial production)

Previously disturbed area (doesn't anticipate impact on flood storage)

Have not been assigned a DEP file number

Mr. Badger asked about the two existing pads are, and if there will be a fence and a gate, for access, and also if there will be development or improvements of the access road. Sarah said Carver Fire Department had gone out there and take a look, and also noted that if its good for bog owners to use, we should be fine. She answered that, for now, they were not planning on improvements for the road and they would accommodate for gravel or improve soft spots on the road accordingly. There will be lock boxes on equipment pads in case of emergency. Sarah also said, related to fencing, they are working with applicant to build something to provide security but also accommodates wildlife passage. Fence will probably be required because of Wareham by-law and the solution would most likely be woven wire.

Mr. Germain thinks project is great idea – understands that it is a big counter-intuitive, thinks it's in the developer and owners benefit to take extreme care of the bog so they don't have to put back in what is destroyed. Hope it is as good as we think. Mr. Moore questioned the location of the fence plans and was told the fence indication was the wrong side of the bog road. New plans will be presented.

The entire project is 3MW, 30% in Carver. Mr. Germain requested updated plans for next meeting 5/19. Sarah said they could accommodate that.

Mr. Germain made a motion to continue, seconded Mr. Badger, approved unanimously 5-0-0.

Lot 5 Ewell Street RDA

Kevin Grady, K&G Development Corp construction of a well which involves 79 feet of vegetative wetlands and tree clearing within 100 feet.

About 12 feet of clearing would be required to get to the well and will not be maintained. About 25-30 feet is within the 100-foot buffer zone. Mr. Moore requested an adjustment to the tree-line in order to maintain some of the buffer-zone. Kevin was in agreement that this change could be made. Mr. Germain told Kevin if it turned out that this couldn't work out to let the Commission know and they could re-evaluate. Mr. Germain made a motion to close the hearing, Mr. Nauen

seconded, approved unanimously 5-0-0. AG made a motion for a negative determination, seconded by Ms. Blackwell, approved unanimously 5-0-0.

157 North Main Street NOI DEPSE #126-618

Kevin Grady – construction of warehouse building

Kevin had meetings with departments for technical review after the first meeting with the Conservation Commission and spoke with Fire Chief regarding access issue. The updated plans eliminated the parking lot behind building, moved the lot 6 feet closer to existing building, reduced southern parking lot, added impervious coverage for the lot, resulting in a reduction of 2500 square feet of total size and 4500 square feet reduction of impervious surfaces. He also added New England conservation mix requires stabilization, wildflowers, additional habitat value, a floor drain detail and storm water management, widened the driveway, and eliminated the planting island. Mr. Badger questioned if the parking lot got bigger - based on a couple previous conversations, based on last hearing, and noted that they discussed square footage of building. The building was moved but not reduced, mitigating roof run-off and outside the 65foot. Mr. Badger also notice the runoff system is also inside the 100ft, and was concerned how much volume the land could accept, how full it could get during certain times of the year. Mr. Badger continued by expressing his appreciation of the shifting of the building, but not sure the building 700sqft in 100ft and 800sqft of parking in 100ft is going to work. Ms. Blackwell echoed Mr. Badger's concerns and said a great deal of weight is going to be pushing down on this property and nowhere for it to go but back into this wetland. Mr. Badger asked if the building could be shaped differently or alternative ways to create parking or turn around points. Kevin said the client has certain development rights and they made adjustments where they could. The Commission argued that the geography is against them and they "bought what they bought". Mr. Germain explained that this was a residential piece of property and the client has used every hoop to build the first property, and now we are seeing them stretch even further. This is on the verge of, "never should have been allowed in the first place". He continued by explaining that the issue now is we are trying to stick something else on, if they needed this much space they should have bought a different property. If they sell the property, what happens then? What happens when this sells to a trucking company? Ms. Blackwell agreed saying it's a dangerous precedent to set. Mr. Badger explained that the Commission took an oath to follow a set of bylaws and it doesn't fit – that's it, from that perspective, it's a no. If his needs are what they are, our duties are what they are. Mr. Moore applauds the effort to make the adjustments, but it didn't go far enough. He said there is still an awful lot of pavement, if some of that were impervious, keeping the footprint, but not pavement, offset something with something else. 5000 square feet for the building was not arrived at without thought, but 700sqft in the buffer is a lot. In the new building, you have a dashed line that goes east to west, about $\frac{3}{4}$ of the way to the south of the building, what does that indicate? (END BAY AND REAR DOORS) reduce the footprint within 100ft and go impervious on the 2 parking spaces. Mr. Germain suggested leaving the building the size that it is and eliminate the parking spaces – eliminate all the asphalt and give a little on the 100ft for the building. He continued to discuss ways that could keep the building the size that it is, since the building is the important fixture. Mr. Nash (neighbor) spoke about the issues he has regarding the impact it has had on his property. Kevin said he was going to check out this area for Mr. Nash. Mr. Germain motion to continue until May 19 and have another site visit that morning, seconded by Mr. Nauen, approved unanimously 5-0-0.

Motion to adjourn, seconded by Ms. Blackwell. Approved unanimously 5-0-0. Adjourned 9:00 PM.