

approved
12/1/21



CARVER CONSERVATION COMMISSION MINUTES OF NOVEMBER 17, 2021 MEETING

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

This meeting was held at Carver Middle/High School.

Mr. Moore opened the meeting at 7:00P.M.

Request for COC – 0 Gate Street DEP SE#126-420

Zone filing and needs to be signed off – selling the property (2007 filing, no work was ever done)

Mr. Germain made a motion, Ms. Blackwell seconded the motion, approved unanimously 5-0-0.

Minor Modification for cobblestone / Meadow Street DEP SE#126-620 Continued until Dec 1

Discussion on the use of timber poles at Tremont Street and Rochester Road Solar Projects
Will Fischer from Pine Gate Renewables – responding to the concerns posed at the October 28 meeting.

Hear again from the experts regarding the findings of the testing, as well as the CEO of Pine Gate, Ben Kat. He spoke about the commitment to the project and summarized that the findings showed no direct threat to the surrounding areas.

Steven Veters discussed the findings of the testing done on the property. MCP – Massachusetts Contingency Plan interprets data to see if there are human and environmental risks. He then walked through the other methods used in the testing, as well as the scale used. If a number is not reported it is “not reported above a certain level” – or not reported using the scale determined by the reports. The metals being discussed are Arsenic, Chromium and Copper and are all naturally occurring metals. 30 and 40 parts per million (PPM). The LSP sees a certain level above a predetermined number is considered a risk.

Arsenic = 20PPM, Chromium and Copper = 1000 PPM. They selected 10 poles – 5 per project and 3 areas with no holes (for comparison). Steven showed a visual to the crowd which explained how the testing was done. He described the process and how the samples are sent to the lab (explaining that they go to the lab blindly). No Chrome 6 was detected. Eighty (80) samples were taken from around the poles – 2 were able to see arsenic. Chromium was detected in ever sample but did not meet the threshold of 30 PPM. No samples had the Copper DEP threshold of 40 PPM. He concluded that the samples were well below the threshold. The berries

were also tested. There was no Copper detected in the berries. There were six monitoring wells were installed three at each site and the ground water is flowing as expected.

Peter De from Tetrattech – spoke about the flow of the groundwater. There was a visual showing the grading and the groundwater. The studies also found that the ground water was slightly acidic.

Will said he felt they have demonstrated there is no current threat but wanted to discuss a replacement plan. He reviewed why the plans changed originally and how they have worked in the last four weeks to get questions answered and come up with an alternative plan. Jeff Huntly, VP of Construction at Pine Gate. They wanted to first look at sleeve options – PVC from the ground up (actually 2 feet below ground) and up. The other suggestion put forth was a pre-cast concrete pile that was created off site and brought to the bog. They would use the same pile driver used previously to remove the timber piles and installing the concrete piles. The concrete piles would match the existing footprint of the timber piles. Creates viability of the bogs, minimizes the impact of the bogs and also addresses the concerns of the community. This could be completed in 90 days (weather permitting).

Mr. Germain began with questions. He first thanked Pine Gate for Plan B. He explained he was thrilled with concrete and said this was a “win-win-win” because taking these concerns seriously shows they are here for the “long haul”. He reiterated that pre-cast concrete is used everywhere. Ms. Blackwell was in agreement that she appreciated the concerns were taken seriously. Mr. Badger said he appreciated the testing and was curious about samples taken deeper than 6 inches (since there was concerns about poles leeching at the peat level). Steven said samples were taken 10-15 feet down and they were similar but they were not taken from next to the pole. Mr. Badger also pointed out that the 20PPM level for arsenic is a base but that no level of arsenic is “safe”. Steve agreed but this level was determined as the “non-detectable” level and it was “consistent across the board” so it could be the level that is found in nature. He said they have to determine what is considered “contaminated” and they couldn’t conclude there was no additional level of arsenic in these areas. 78 of the 80 samples didn’t detect arsenic – those two detections were submitted to determine what type of arsenic it is. Steven also mentioned that to date, there has not been an adverse reaction to the environment but it cannot be determined long-term. Mr. Badger was curious if a monitoring plan was being abandoned if they moved forward with Plan B – Will said there probably would be no need for monitoring if they removed the poles.

Mr. Moore asked about the original bog (furthest in the back) which was the first put in – these were installed first week in June – tests were completed October 28-29. (He was determining the impact of 90 days). He echoed Mr. Germain’s sentiments about how he appreciated the work done to get to this point. He noted that this work protects the reputation of a lot of people who are in this room. Mr. Moore asked Brooke about the process to amend the stop work order.

Brooke said that would be the quickest way. Will said the 90 days would be pending the Town’s approval (which means every board involved, including Planning). Mr. Moore asked if it would be helpful to have the enforcement order to allow work of removing hardware from the poles.

Mr. Germain asked about the logistics and what is going to happen to the poles – Jeff said there is a buyer for the poles. Mr. Germain said he would like it to be in the order of conditions that as the timber poles are being removed, they be contained so there are not fully exposed poles laying around and potentially leaching into the surrounding area. Mr. Badger asked there to be some monitoring plan as these poles come out of the ground – he said with some detection and not knowing where it is coming from, there should effectively be some “clean tying of the bow” so they know what happens when the poles come out. Mr. Moore had said that maybe they do a test

when the concrete is in – nothing will change after that. The Commission was in agreement that one test once the poles were out would be sufficient. There was then a discussion about how to amend the stop work order. It was agreed they could work on the hardware and any ancillary work that was not located on the bog.

Joe Salvetti hired on behalf of the Commission – he stated that the remove and replace solution “removed a lot of his concern”. He spoke to the concept of a test after the removal of the poles and how he thought this was a good idea due to the weather and possible flooding – he suggested waiting until the poles are removed. He also spoke about storing the poles and how that storing really needs to be considered, and possibly bring the solution before the board.

Ted Local farmer - When you do the test, can you do tests in the middle of the bog –

Donna – is there money set aside if there is contamination down the road?

Will noted that the Berry Guys well is being monitored by Mass DEP. He reassured that there is no impact to date and if the poles are coming out then there would be little concern for “what could happen 15 years down the road”.

Liz Taylor thinks the poles should be removed now. She stated that the report found that these tests show these are at half the acceptable levels after 6 months, what will happen after 3 more months. The other concern was, will the wooden timbers shred when being pulled out of the ground (since they are wet).

Steven clarified that the levels of metals are not zero prior to the poles and now at

Mr. Germain made a motion to amend the order of conditions and lift the enforcement orders, with the stipulation put forth earlier tonight, seconded by Mr. Nauen, approved unanimously 5-0-0.

MINUTES: October 6

MINUTES: October 20

MINUTES: November 3

Tabled until December 1 meeting.

Discussion of CCA poles in wetland resource areas

Mr. Germain said there should not be CCA treated poles in any wetland areas. Mr. Germain made the motion to not have these poles in any wetland resource area, Ms. Blackwell seconded. Mr. Moore discussed what fell into Conservation jurisdiction and what didn't. He said any dry land fell under other boards and commissions and said there should be a letter about not allowing these poles in a solar environment. Adopt the policy to not allow CCA treated timbers, approved unanimously.

CONTINUED HEARINGS

287 Tremont Street

Continued to December 15.

NOI DEPSE#126-626

5 Johns Pond

Continued to December 1.

NOI DEP#126-630

Motion to adjourn Mr. Germain. Seconded by Ms. Blackwell. Unanimously approved 5-0-0.
Adjourned 8:38 PM.

Minutes submitted by Ashley Swartz.

17-Nov-21

PRINT NAME

CONTACT INFORMATION

EMAIL or PHONE

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