

approved 2/5/22



CARVER CONSERVATION COMMISSION
MINUTES OF JANUARY 5, 2022 MEETING

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

Mr. Moore opened the meeting at 7:01P.M.

Discussion/Business:

Minor Modification for Cobblestone / Meadow Street DEP SE#126-620

Widen the access road for fire department access. Brooke had new plans for everyone to review accompanied by a cover letter explaining what was needed. Mr. Germain compared the plan dates to confirm they were updated. He noted if they agreed to the modification, they would have to sign the new plans.

There was discussion as to how this

Motion to approve the minor modification made by Mr. Germain on plans dated May 24, 2021, seconded by Mr. Badger. Mr. Moore noted to sign the second page, C2.0 (the item that changed). Approved unanimously, 4-0-0.

Acknowledgement of Peg Blackwell's service to the Town

Mr. Moore acknowledged Ms. Blackwell's service to the Committee as well as the Town. How much she is appreciated by this town and this Committee.

Discussion of fence at 44 Lakeview Street

Property adjacent to the Conservation property – a fence is going up and the property line is marked well. Mr. Moore wants to discuss a post and beam or split rail fence going along the property and it possibly being a Scout project. Mr. Germain mentioned speaking to the abutter first to see what his plans are – he may have plans to put in a fence in himself. Brooke said she would look at the contact info.

Mr. Badger noted that tree trunks and limbs are stacked at the moment at the property but it will be repurposed for Veteran families. Everything else has been chipped and raked.

The house has also been winterized.

Discussion of Variance under the by-Laws

There was confusion at the last meeting regarding an NOI versus a Variance – Mr. Moore said if the NOI in *its entirety* is the variance it is one vote. There was further discussion around whether or not the two are one in the same or not. The question was does the NOI give an okay to come

back and re-try for the variance, even if there is one variance for one NOI. Mr. Moore said moving forward if they knew there would be an issue they would have to continue it and discuss further.

17 Wareham Street - Violations

Brooke said she drove by today and there was a machine there, Mr. Germain said it has been there for weeks. There needs to be a visit from the building commissioner. (13MIN)

The filer of the complaint won't stop until something is done. Machinery has been brought in and vegetation has not been replaced along the water line. The discussion included having the property owner come in, issuing a stop work order, let planning know what is going on and contact the building commissioner. He will need to file with the Town Clerk to file as a business.

Request for extension – Cranberry Point Energy Storage DEP SE#126-579

Needs an extension on the Conservation order of Conditions until June. The original order of conditions was issued in February 2019, set to expire in February 2022. An extension issued will be good for three years.

Mr. Germain made a motion to approve the extension, Mr. Nauen seconded, approved unanimously 4-0-0. This extension is due to the State Regulation Process.

Update of Restoration work at 318 Tremont Street DEP SE#126-628

Waiting until the Spring – A.W. Bryant – removing some of the parking area and restoring. They sent out an abutters' notification. This will meet on February 2nd.

MINUTES:

Motion to approve minutes for December 1, 2021 made by Mr. Germain, seconded by Mr. Badger. Approved unanimously 4-0-0.

New Hearings

20 Shoestring Road

NOI DEPSE#126-

Proposed modifications to the existing campground facility, including utilities and the installation of wells within an isolated vegetated wetland, within the 65 and 100-foot buffer zone to wetland resource area bordering vegetated wetland (BVW) and within the 200-foot riverfront area. A variance is required 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.

These plans are for a campground expansion – Northgate Resorts acquired this in November 2020. Plans for phase 1 are set to conclude in April and phase 2 will take about a year to complete. There will be connections to each site for dumping and plans for a water park (separate filing).

Mr. Germain asked when the 60' x 50' addition will begin construction because it was within the 100-feet. This portion won't be started until after this season has concluded. The water park can be moved to get the small portion out of the 65-foot buffer.

Brooke asked if they wanted the Order of Conditions for both phases and Rick said he would like that – he wants to cover everything they can tonight and they will get what they need to get approvals.

Mr. Germain reiterated some of the points of the project, emphasizing the ideas he really liked (such as replicating twice as much area that was being disturbed). He said they all spoke today about the existing road being in use – which had been used before so it wasn't viewed as an issue. Mr. Badger asked about the new wells being shifted but it was clarified that they will be installed as drawn. The trees that will be taken out will be along the bog to widen the perimeter and a fair amount of grading will need to be done – all the materials will stay on site.

Mr. Moore asked about plans for the water park – there are none yet. There was discussion as to whether or not they would have to come back to Conservation to get the approval for the water park. Mr. Moore wants to put in the order of conditions that nothing happens to the water park until it has been approved by the Commission. The other concern was in the area being done now – what material is under the sites. Mr. Moore was concerned it was cement. They confirmed it was gravel and not a solid surface. Mr. Moore also asked if the water park would be exclusively for guests or if people can visit.

Cass Gilmore – an abutter was present. He was happy to see the sewage being upgraded. He stated that in the past there were drainage issues into his bogs and was curious if that was being corrected. Rick discussed with Cass the proposed plans to lower the area that normally floods and also create a shallow basin along the paved road. He thinks it will dissipate a lot of it. They are also getting rid of all the sewage going into the ground. Mr. Germain said if there is a Plan B in case there are problems in the future with this. Rick said since this is a new system they won't know until they see it in action but think they will see dramatic improvements. Rick said he was calling tomorrow about the file number tomorrow.

Mr. Moore asked when they thought they would have the plans for the water park but they were unsure.

Mr. Germain made a motion to continue the hearing until January 19, 2022, seconded by Mr. Nauen. Approved unanimously 4-0-0.

CONTINUED HEARINGS

287 Tremont Street

NOI DEPSE#126-626

Tom Pozerski – Sr. Engineer

Detailed riverfront analysis, everything is out of the 100-foot, no structures in the 65-foot. Drainage issues have been assessed. Vegetative filter strips, tradesmen bays can only contain petroleum type products.

Mr. Germain questioned the bays size and ability to store large trucks and his concern with what those trucks can store – despite being labeled as “tradesmen bays”. Floor drains with cask iron pipes with holding systems and alarm systems. There is a requirement for every tenant who rents a bay to get (1:14:58MIN). Tom said to put an order of conditions on the plans that disallows any tenant who cannot occupy the space.

Mr. Moore noted that the fence could not be chain-link all the way around because of their location to the bog. This is called “critter-fence” and it provides space at the bottom for animals to move freely.

James Weston – an abutter was present. There is an issue with people coming onto the property. He agreed to the fence in order to prevent people and debris from getting onto his property. He is

also concerned with the water usage permit. He is worried because the water usage is at 880 out of 1000 gallons.

Tom addressed the water concern – he knows that he had to go to DEP for determination of flows. He knows that the water will be monitored by the Board of Health and DEP. Mr. Germain explained that worse case scenario if there was a sub-shop in one of these bays, the Board of Health would have to know and had to stop it because it would max out the water supply. Tom reiterated that if the water usage went over someone would step in (Board of Health or DEP). Tom explained the approval process to James regarding their project - from the different boards and different state departments that have their hands in this project.

The CC3.1

Motion to close the hearing made by Mr. Germain, seconded by Mr. Nauen. Approved unanimously 4-0-0.

Motion to approve the NOI as printed December 28, 2021 made by Mr. Germain, seconded by Mr. Badger. Approved unanimously 4-0-0.

Motion to approve the variance as drawn on C3.1 with the following conditions: 1) the three tradesmen bays follow the regulations: *Land uses with Higher Potential Loads (LUPPL) are strictly prohibited on the site in perpetuity as long as the site is serviced by a transient non-community public water supply. The entire property contains a Critical Area an Interim Wellhead Protection Area an Interim Wellhead Protection Area to the Well (IWPA). LUPPL's are any activity identified in 310 CMR 22.21(2)(a)1. Through 8., and (b)1. Through 6. Examples of prohibited uses are: automobile junkyards, petroleum stations, facilities that generate treat or store hazardous wastes, wastes oils, storage of fertilizers.* 2) fence allow a 1-foot critter access and 3) weekly trash policing, and 4) should trash become an issue, privacy slats should be added to control the problem. Mr. Nauen seconded. Approved unanimously 4-0-0.

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 7:45 p.m. on Wednesday, July 7, 2021, in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on behalf of JCM Carver Acquisitions; for the proposed removal of the existing ice cream shop and garage; and construction of a new shop and storage building, with associated parking, landscaping, grading and stormwater improvements. Portions of the project work are within the 200-foot riverfront, 100-foot buffer and within the 65-foot buffer. The work within the 65-foot buffer will require a variance from the Carver Wetlands Protection Bylaw. The project is located at 287 Tremont Street, Carver, MA, Map 94, Lot 5-0-R. All interested parties are invited to attend.

5 Johns Pond Road

NOI DEP#126-630

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 7:00 p.m. on Wednesday, October 20, 2021 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on behalf of Tony Lombardo; for after-the-fact repair/construction of a retaining wall, with stairs and a patio and the disposal of trees stumps and brush. The proposed work was conducted within the 65-and 100-foot buffer zone to; and on the bank associated with; John'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 5 John's Pond Road, Carver, MA; Map 12, Lot 4-4. All interested parties are invited to attend. CONTINUED UNTIL JANUARY 19, 2022

Motion to adjourn Mr. Germain. Seconded by Mr. Badger. Unanimously approved 4-0-0.
Adjourned 9:00 PM.

Minutes submitted by Ashley Swartz.

5-Jan-22

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