

Approved 4/20/22



CARVER CONSERVATION COMMISSION
MINUTES OF MARCH 23, 2022 MEETING

Present: Chairman Savery Moore, Alan Germain, Jim Nauen, Dan Badger, Environmental Scientist/ Agent Brooke Monroe.

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

Discussion/Business:

Request for COC for 128 Meadow Street

Motion to accept the COC made by Mr. Germain, seconded by Mr. Nauen, approved unanimously 4-0-0.

Request for COC 366 Tremont Street

Continued until April 6.

Opening for Commission Member

Reverting back to the 1st and 3rd Wednesday of the month starting next meeting

Letter from the Carver Conservation Commission to the DOER

On behalf of Pine Gate renewable regarding the poles on Rochester Road. This has to be approved by the DOER and they have not approved the use of the concrete poles. This is asking the DOER to expedite the approval of removing the poles. Mr. Germain there is a pending lawsuit and this is preventing the project from moving forward. Mr. Moore said he understands that the bylaws of the SMART program – something mentions the use of concrete pad is prohibited – there needs to be a clear understanding of how the concrete needs to be used. Mr. Moore explained that the letter has nothing to do with the lawsuit but instead asking the DOER to make a decision so everything is in line. Mr. Germain argued that Town Counsel should review this letter prior to sending. A discussion continued about when and how the letter should be sent. Mr. Badger noted there were some issues with the letter – one being the review of the concrete poles. There has been no documentation to see the testing was done when the poles come out. He noted that Pine Gate could not answer the question of the impact of the poles at that depth. Mr. Badger also noted he did not think the letter should be coming from the Commission – he thinks the letter could have the opposite effect than intended. The question was could they include that they have reviewed the concrete. Mr. Germain elaborated that there are a number of things preventing the poles from being pulled, all of which are out of the hands of the Commission. Mr. Germain made a motion to send the letter once KP Law has reviewed and approved, seconded by Mr. Nauen, approved unanimously 3-1-0.

New Hearings

ANRAD

Sarah Sterns, Beals and Thomas, representing Waterstone Property Group, parcel 24, Lot 3. This is an ANRAD to confirm a wetlands delineation. Listed common vegetation, evidence of hydraulic soil. Brooke said the site visit was “very obvious” and reviewed the flags – everything looked fine. A resident, Chris Walsh, owns the house directly behind the Tractor Supply. It was confirmed that this is on the opposite side of where he is requesting. Rebecca Lipton asked what the purpose of an ANRAD is. Sarah explained (abbreviated notice of resource area delineation) for future projects – it is good for three years. There was a concern regarding the reason the wetland delineation was occurring. It was explained by members of the Commission that this can be done to help determine where work can’t be done, if it is for the sale of the property. Meg Sheehan argued that people don’t have the plans. The Commission explained that there are no plans and that if a project comes of this there will be a meeting for the NOI. Mr. Germain made a motion to close the hearing, seconded by Mr. Badger. Mr. Germain made a motion to approve the ANRAD as drawn, seconded by Mr. Nauen, approved unanimously 4-0-0.

96 Purchase Street ANRAD

Mr. Badger explained what the necessary for this ANRAD process – they are aerial photos and they align the lines with the flags on the property – confirming the property is flagged to map to the images in front of them. Sarah Sterns with Fields and Thomas, and Ian Ward with New England Consulting, of on behalf of Johnson Cranberries to confirmation of the upland bogs. The overall property is 108 acres, the ANRAD covers about 35 acres. The bogs are labeled on the maps for conversation purposes. Mr. Badger noted Beaver Dam Brook that goes through bogs 3 and 4. Sarah noted it was off site – it runs through the adjacent lots. Bogs 1 and 2 were built in the late 80s early 90s and progressed to what they are today. Someone in the audience asked about the history of the property – Mr. Moore said the documentation they received was sufficient for their purposes. Meg Sheehan noted some earth removal and cited the wetlands protection act. Motion to approve the ANRAD made by Mr. Germain, seconded by Mr. Nauen, approved unanimously 4-0-0.

0 South Meadow Street NOI

Restoration of upland bogs, Gene Cobb, property owner. Done by the engineers of NRCS – bogs built in the early 1900’s, he took the bogs over in 2000. In 2020 Wetland Reserve Easement – USDA program – to preserve for uses other than conservation. Now he is presenting the restoration process – return the land to its original state prior to the bogs being built. These restorations have occurred in nearby areas but are different because of the land size. Goals of restoration is to improve and enhance bird wildlife habitat, improve water quality, and improve flood water retention. Will also plant cedar trees and the plans (microtopography) will help turtles in and out. Area will be more or less level when completed, and the flume has to be removed, then bring the dyke down to the bog grade. Work would occur one cell at a time (as noted on plans) and take 2-3 years (done by Gene). NRCS and USDA will closely monitor this project both during and after the project. They help monitor for invasive species. He will use one machine to prevent bringing in any outside seed. Mr. Badger noted the appreciation for not cross-contaminating with other species. The monitoring will happen both via Gene (regular basis) and by the organizations on an annual basis. Mr. Badger asked if he has been a part of a project like this before – he hasn’t been part of a project like this but a part of the bog operation

since 1981. Gene didn't foresee the monitoring being an issue since its 23 acres. He said if there was some sort of "invasion" it would happen in the earlier stages. Mr. Moore asked about the bogs that will remain. Gene noted the pond between C and D wouldn't be touched. He further explained the path where water would naturally flow. This would property would remain this way in perpetuity. Mr. Germain made a motion to continue until April 6 to obtain DEP number, seconded by Mr. Badger, approved unanimously 4-0-0.

0 Meadow Street RDA

Meg Sheehan, Save the Pine Barrens, questioning work done within a wetland area and whether or not it was used as agricultural prior to work. Meg said she was representing abutters and residents of the town. Mr. Moore said this was reviewed on the March 9, 2022 meeting. On Friday February 18 Save the Pine Barrens sent an email to DEP hotline due to surface water contamination (among other things). That was President's Day weekend. On February 22 the DEP responded internally and set up a staff meeting to discuss, on the 24th Meg was notified and on the 25th she notified the Commission. February 28 a site visit was done – including Meg and two people from DEP. The DEP noted the questions asked of Meg, and have to make a decision. Mr. Moore requested a motion to continue this until the DEP decision is made since it will directly impact any decision the Commission makes. Motion made by Mr. Germain, seconded by Mr. Nauen. Approved unanimously 4-0-0. Meg noted they did not receive a negative or positive determination within the 21-day period so she would be appealing any decision made. Brooke noted an old order of conditions made in 2011 that may fall under the extension act and asked where this may apply. Mike will get in touch with the earth removal committee. Mr. Germain requested a list of abutters and residents she was representing.

0 Wareham Street ANRAD DEP #639

ANRAD request on behalf of Makepeace Property. Mike Ball, Marsh Matters hired by JC Engineering. Lots 4-1, 4-2, and 4-3 and asked to look at specific areas on Wareham Street (undeveloped wetlands and active cranberry bogs). Brooke and Mr. Nauen did a site visit, stating everything looked fine. Mr. Germain made a motion to approve the ANRAD as drawn March 2, seconded by Mr. Nauen, approved 4-0-0.

Motion to adjourn Mr. Germain. Seconded by Mr. Nauen. Unanimously approved 4-0-0.

Adjourned 8:25 PM.

Minutes submitted by Ashley Swartz.