

approved 8/3/22



CARVER CONSERVATION COMMISSION  
MINUTES OF JULY 20, 2022 MEETING

Present: Chairman Savery Moore, Vice-Chair Alan Germain, Jim Nauen, Dan Badger, David Hall, Environmental Scientist/ Agents Brooke Monroe and Gary Flaherty and Recording Secretary Ashley Swartz.

Mr. Moore opened the meeting at 7:08 P.M.

**Discussion/Business:**

**15 Holmes Avenue – Violation**

Karen Holland – property owner was present. She is not living at the property.

Mr. Moore said they had received a complaint regarding work done near Cooper's Pond. Karen explained that part of their beach has been overgrown and they typically keep up with it but it has 'gotten away from' them. She asked the person staying at the property to clean up since she was under the impression that they could clear if it was 2 inches or less. Mr. Moore explained that the area should not be cleared and went through some of the details of what could and couldn't be done. He noted that anything with a root system had to get approval from the Commission. Mr. Moore asked the Commission if they should do a site visit and then discuss next steps. They plan on visiting the property August 3 at 10 A.M.

**Jellystone Park Cranberry Acres Campground, 20 Shoestring Road (SE126-636) – plan revision**

Dan Flores SFC Engineering

He is proposing some changes for Phase 2 (on the hill side). The previous plan had clear cut the hill top (roughly 12 feet) but Dan has been tasked with maintaining the grade. The layout is the same with minor changes. The building originally proposed has been reduced in size – 60 x 80 to 30 x 45. They have added a second access point to the existing sites (single access previously) and the new access is within the 200-foot zone. They want to work with the existing grades and saving trees and vegetation. 39,000 square feet will now fall within 200 feet. Mr. Moore asked if the number of spots for the trailers maintained the same. They have a net reduction with a total of 300 sites. Mr. Badger asked about the waste water treatment system. The system is approved for 325 sites (more than what the site will hold). Dan continued to show the entrance area. There have been some readjustments – the proposed pavilion has been moved outside the buffer and the abutter has requested two guardrails at the culvert. Mr. Moore asked about the new check-in area. He asked where it was before – the site is now in the 65-foot zone.

Mr. Moore asked for an amended order of conditions – they will set up another site visit to better understand where the new entrance way is and how these changes lie. This needs to be published so they asked Dan to come back August 17. There will be a full development plan for the pool area. There was discussion amongst the board about the pool and whether or not the Commission needed to be involved (due to the filtration system and run-off). Mr. Germain suggested a site visit on August 3 around 10:45 A.M.

### **Pine Ridge Way – Maintenance of mowing on back bog to occur Sept. 9, 2022 (reminder)**

Brooke discussed the notes from 2017 & 2019 and that this was regular bog maintenance. Everyone was in agreement to allow the mowing as maintenance since they have done it in the past.

### **Letter to the Planning Board Regarding Wetlands Jurisdiction**

Mr. Germain noted that the last planning board questioned a variance given for a well by Conservation Commission. They also wanted the engineer to move it out of the 65-foot buffer. He explained that the Planning Board is infringing on areas that are outside their jurisdiction. Mr. Germain is asking to address the Planning Board – including definitions – that explain the separation of responsibilities. This is a result of a variance being approved by Conservation and then questioned by Planning.

Mr. Moore was in agreement that roles should be identified and defined and thought this should be done internally. Mr. Germain argued that it should be from the Commission since the internal members are advisory. Mr. Moore said the Town Administrator should be involved. Mr. Moore said they should reference the by-laws that they have jurisdiction within the 100-foot zone. He noted that this sets a precedent for future applicants who need to put the well in that area – those who will not have to go to Planning will get approved and those who do can be denied. Mr. Badger noted the overlap and wants to see the checks and balances described. Mr. Badger is concerned about over-reach and stated there was concern about what Planning doesn't take into consideration when giving approvals. It was suggested that the Conservation Agents work to draft a communication including Carver by-laws and Massachusetts' law. Mr. Moore said he believes this Commission has a good track record with wells and they are able to identify when a well would be an issue. Mr. Germain continued that one board should not be able to overturn a decision from another board.

## **New Hearings**

### **0 South Meadow Road**

**NOI DEPSE# 126-**

#### **(Notice of Intent)**

Sarah Sterns of Beals and Thomas

Jess Cohn of MA DER

South Meadow Reserve Wetland Restoration Project – partnership program with NRCS/USDA and MA DER.

This piece of property is being retired by the owner and qualifies for wetland reserve easement has been put on the property. The site was walked today with Gary and Mr. Hall. The majority of the bog has been harvested since the 1930's. The goals of this project are to restore natural hydrological conditions, eliminate barriers to wildlife, provide opportunities for recreation. This would bring the water back through the bog via a naturalized channel. Seven cranberry bog restoration projects have been completed so far. The site is 34 acres in total. The idea is to "rough up" the existing cranberry mat, pull up the sand layers, expose the seed bank and remove the existing dike roads. The plan is to create a diverse, self-sustaining wetlands system.

Jess explained that bogs that are retired don't "self-recover" well. The plans mitigate the bog from becoming a scar and places them on a path of performing ecological functions of a wetlands. She described the project as a "green exit strategy" for retired or abandoned cranberry bogs. Project received funding and project management assistance. DER declared the site a restoration site in 2018. A permanent conservation easement was then placed on the site.

Sarah continued to say that the owner of the bogs will be the site contractor for this project – stating that it was valuable for someone who knows the site so well will be involved in the restoration. She added that data collection is robust because of the many standards they have to adhere to for these types of projects. A

ground-penetrating radar was conducted and it corroborated what was determined at the surface – this area is very wet and will likely take little intervention to expose what wants to be there.

Brooke noted that this is very similar to Eugene Cobb project. Sarah said that site isn't a DER priority project but is similar with how work will be conducted. Mr. Hall applauded the effort and the land owner is an essential part of the project. Sarah noted all the various resource areas they are working in, there is a net increase in all these areas as a final result of the project plans. She also pointed out some upland areas that are part of the project that do not fall into the wetland area. Mr. Moore asked where the Foothills Reserve was in Plymouth, MA on Beaver Dam Road across Tidmarsh Farms. Eel River is on Long Pond Road and was completed in 2010. Mr. Moore asked if there was ample waterflow and if the stream would be continuous. Sarah explained there is a pond that manipulates flow to this bog system and they expect water to continue to flow through this area because they will keep this channel open. This would be self-sustaining so no maintenance is required. Jess explained they will use log jams as a way to "wet the valley". These will slow and spread the water (allowing lateral movement). They are pinned using equipment to drive them into the soil. This has been successful on all previous projects. Mr. Moore followed up regarding the machinery, asking how long it will be on the site. Jess said it would be 6-9 months. This is the first owner build project for DER. Sarah added that the stream channel will be narrower than the design shows – the plans show "widest case scenario" and flexibility will be necessary for this project. Mr. Moore asked if there was a guarantee the property owner will be seeing this project through. He has signed a contract with NRCS that pays out at different milestones. There was further explanation of the specifics of the ground penetrating radar findings.

Eric Pontiff from Cedar Meadow Cranberry. He noted he liked the idea of the project but wanted to address the water flow and how it moves from site to site with the water control structure being shut off. There are bogs downstream that are solely dependent of this water. Eric suggested a written agreement regarding the water flow. Eric reiterated that he doesn't have a problem with the project as it sits independently but is concerned with how the waterflow will be impacted for other properties after project completion. Eric spoke with the property owner and thinks this can be resolved with a written agreement. The bog is flooded and released from bog to bog downstream. This project would impact the flow of water. Sarah agreed that this discussion should be continued until the land owners have an agreement – stating that cranberry growers survive on cooperation. Brooke asked if the flow would be "that much less". Sarah explained that this will be a steady flow rather than flooding at specific times. Eric said the ponds on his site are fed solely from this site. Mr. Germain asked Eric if the changes he wants to make to one of his reservoirs is a result to this project – he said it is. It was agreed that this needed to be continued as long as necessary until all the details were reviewed. Sarah reiterated that they needed to have fluidity in the design in order to appease everyone. Mr. Germain made a motion to continue the hearing until August 3, seconded by Mr. Badger, approved unanimously 5-0-0.

A copy of the plan is on file at the Permitting Department and may be reviewed during normal business hours. Additionally, an application for 401 Water Quality Certification is pending before MassDEP. Additional information may be obtained by contacting the Department or Beals and Thomas, Inc at 508-366-0560. Comments for the 401 WQC has a 21-day comment period, comments can be mailed to MassDEP Southeast Regional Office 20 Riverside Drive, Lakeville, MA 02347 or call 508-946-2700 for additional information.

## MINUTES

### **To be read and approved for June 6, 2022**

Motion to approve the minutes as printed made Mr. Germain, seconded by Mr. Badger, approved unanimously 5-0-0.

Motion to adjourn made by Mr. Germain, seconded by Mr. Badger. Unanimously approved 5-0-0.

Adjourned 8:45 PM.

Minutes submitted by Ashley Swartz.