

approved 11/17/24



CARVER CONSERVATION COMMISSION  
MINUTES OF JANUARY 3, 2024 MEETING

Present: Chairman Savery Moore, David Hall, Ann Chadwick-Dias, Curtis Lake, Karl Miller, Environmental Agent Gary Flaherty and Recording Secretary Ashley Swartz.

Mr. Moore opened the meeting at 7:03 PM.

**DISCUSSION/BUSINESS**

**Order of Conditions extension request: DEP File #SE126-619**

40 Fuller Street solar project. Greg Sampson – attorney for the applicant requesting a three-year extension. He explained that the project has been held up due to the interconnection delay with Eversource. Due to the number of projects in the area, the projects have been grouped and then assessed separately (now having to be approved by DEP). All these delays are taking more time than they originally had anticipated and are ready as soon as they have the upgrade completed. They don't have a lot of control over the project at this stage and would like to keep these active. He believes the three-year extension will be sufficient. Gary explained that the current Order of Conditions expires in May of this year. The new extended date would be May 5, 2027. Greg said he wanted to provide some extra notice due to the number of projects (and people coming in last minute). Mr. Moore asked if there are other solar arrays that are not part of his projects that are part of this group – he said there are. Mr. Moore was wondering if he should expect more people to come in for this reason. Greg believes there are five in Carver. He also explained that no work has been done. Ms. Chadwick-Dias asked what the study was for. Greg explained that when projects connect to the grid, the grid may not be ready to accept the extra energy – so this covers upgraded transformers, supply, and strategy to connect. Motion to grant the extension request made by Mr. Hall, seconded by Mr. Miller. Approved unanimously 5-0-0.

**Order of Conditions extension request: DEP File #SE126-621**

204 Plymouth Street – same situation as the previous discussion. Motion to approve made by Mr. Hall, seconded by Mr. Miller. Approved unanimously. This will extend until May 5, 2027.

**Certificate of Compliance - DEP File #SE126-666**

213 Meadow Street – Farm Stand. There was a site visit this morning where several members of the Commission were in attendance. Jordan, the property owner explained there were two small changes to the original plans – which included having fill extend to the street and the ramp was leveled and inspected. Gary asked what the ramp was made from – it is a type of stone dust – which is a little soft. He asked if repairs to that ramp needed to be run by the Commission. They agreed that would fall under changes to an existing structure and make sure if there is a chemical being used to notify Gary. Motion to grant the Certificate of Compliance made by Mr. Miller, seconded by Mr. Hall, approved unanimously 5-0-0.

### **17 Wareham Street – Discussion**

Brad Holms and Chris (property owner) back to discuss the plans proposed. They were asked to revisit the original plans. The fencing has been moved outside the 65-foot buffer zone. The shed is just inside the buffer zone and it is not an easy task to relocate that. The shed is located by the bog access road and they said it doesn't make sense to move it (due to the difficulty of doing so). They are asking to keep the shed where it is and move the fencing. Mr. Moore noted a letter that was submitted which indicates a second group of goats near the river's edge. Brad said the enforcement order specifically called out the eastern portion of the site and are addressing what was addressed in the enforcement order. Mr. Moore said he was bothered that they did not disclose the second group of goats because now they have to go investigate that. Mr. Moore continued saying the drawings lacked the complete enclosure of the fencing (as it seemingly disappears on the plans). He is asking that the 65-foot and 100-foot buffers are on the drawing and have the complete enclosure of where the goats are now. Brad said the plans are addressing the enforcement owner, and the rest of the property is land in agricultural use (which includes certain exemptions). Gary said based on the definition understood by him and DEP but the forested area is not considered land in agricultural use. Brad said more information can be provided but it had not previously been noted by the Commission. Gary argued they are trying to put a lot on the land. Brad said he will get more information but Mr. Moore said he just needed more details on the entire enclosure – stating it may not have been clear to them what was being asked. Mr. Moore said part of the Order of Conditions stated the bog road was supposed to be planted with trees when the bog was decommissioned. Gary's concern is that the goats are altering the land and the Commission are within their rights to ask them to tear the whole fence out. There was further discussion about if the fencing needs to be entirely out of the 65-foot, but Mr. Moore said he would like to see the entirety of the buffer zones on the plans. He also noted that he is okay with encroaching where the fence was just to accommodate the fence. Brad reiterated that some of this area is land in agricultural use – and is asking they can agree that this is suitable in the area addressed in the enforcement order, and then address the rest of the property separately (since they don't have the data at the moment). He further argued the exemptions that come with the property and went back and forth with Gary about the use of the land. Mr. Moore said what they are doing to the east of the shed is fine (in his opinion). He added that the rest is up to further discussion. Mr. Hall asked about the land that was destroyed by the goats – he would like to see a restoration plan if that doesn't come back by mid-summer there should be restoration. He asked Gary what the rules are to having livestock on the riverfront. Gary said he would need to look into it. Mr. Hall continued that there should be a deadline of moving the fence. Mr. Moore said tonight they could approve the area they were asked to address originally. This is considered an upland bog which is why some of the activity conducted was allowed. The path forward: Brad will come back with information regarding the buffers on the rest of the property, they will provide fencing plans to complete the enclosure; in the interim they will move the fence to the 65-foot line (and cut behind the shed to keep it in the enclosure), that will need to be completed by March 31, 2024. They will have another meeting discussing the remaining plans and the rules around agricultural use of the property. Brad said they will get the information prepared prior to the site visit, which could be completed by the February 21, 2024 meeting.

### **Webpage / By-law update**

Gary provided the Commission with a packet. The articles that were voted on have not yet been incorporated into the full town by-law. Gary reviewed the changes that have been added to the website (noting changes are in bold). Mr. Moore visited the Town Clerk today – there are two articles that need to be codified which is why the 2023 articles have not yet been updated. He added that these changes for Conservation are on the Conservation and Town Clerk webpages of the website. Kara is going to have a message linking to the already approved by-laws (excluding the two that have not been codified) so people searching for the by-laws are able to access them more easily. There is also talk of moving the by-laws to a different platform (in the future).

### **Vice Chair Vacancy – Discussion/vote**

Mr. Miller nominated Mr. Hall, seconded by Mr. Lake. No other nominations. Approved 4-0-1 with Mr. Hall abstaining.

### **MINUTES**

Motion to approve the minutes from December 6, 2023 made by Mr. Lake, seconded by Mr. Miller, approved unanimously 5-0-0.

### **UNANTICIPATED**

Gary asked if he should send an email to 0 Indian Street to have them come in and discuss the situation. This is a bog that is being cleared on multiple sides and removing sand. Mr. Moore agreed they should come in. Gary said Earth Removal was going to visit the site. There are groups that have reported the situation so he would like to get ahead of it.

187 Meadow Street – DEP is not pleased with the property owner – and feels they were misled. Gary is going to work with them on an enforcement order. Gary had tried to put a cease and desist order but DEP asked him to stand down. Gary needs the DEP to lift the stand down. Mr. Moore gave an overview of the activity on the property.

Motion to adjourn made by Mr. Miller, seconded by Mr. Hall. Approved unanimously 5-0-0.

Meeting ended 8:00 PM.

Minutes submitted by Ashley Swartz.