



approved
9/18/19

CARVER CONSERVATION COMMISSION MINUTES OF JULY 24, 2019 MEETING

Present: Chairman Jim Nauen, Vice-Chairman, Savery Moore, Tim Dempsey, Alan Germain, and Brooke Monroe, Environmental Scientist, Agent, and Marianne MacLeod, Recording Secretary. Dan Badger was absent.

Mr. Nauen opened the meeting at 7:01 p.m.

APPOINTMENTS/DISCUSSIONS

Informal Discussion of 98 Meadow St. Pool Installation

Mr. Arthur Borden was present, representing the property owner, Beth Sulger. They want to put in a pool and it would be in the 65' buffer zone. They are here to get instruction on how to proceed.

Mr. Germain informed the Committee that the property owner is on the Finance Committee. He has been to her home. He explained there is no other place on the property for an alternative location. The Committee gave suggestions for the next step of creating a formal plan.

BUSINESS:

0 Shoestring Rd.-Violation

Ken Calli, 7 Shamrock Circle, E. Wareham, MA is the owner of the property. Brooke gave the Committee members an overview of the issues. There is concern that ATVs are being ridden on the property, which encompasses a bog and wetlands. He stated that his six-year-old grandsons were the ones riding the ATV's around the bog. There are tracks actually in the bog, observed by Mr. Nauen, on a recent site walk. There can be no ATV's driven on the bog. The property owner's daughter spoke with Environmental Police and was informed they can ride as long as the vehicles are registered and safety precautions are in place. Mr. Calli said the letter from the Commission was sent to his P.O. Box which he doesn't check on a regular basis. A police officer also came to the property at the request of an abutter. The property owner and his daughter said they are now aware that the ATVs should only be ridden on the "bog road" and should not be ridden on the actual bog. Mr. Moore explained that Carver by-laws override State by-laws.

Pine Ridge-Request to cut shrubs

Brooke told the Board members that Brenda Johnson contacted her because residents of this condominium association want to cut shrubs. Brenda is not sure why they want to cut them. The bushes are approximately 150' back from the pond (200' set back). Brooke told them no they couldn't cut the shrubs.

Cranebrook Restaurant-NOI for existing and future work

Owner Maria Marcalo and Armando Pereira, designer, came before the Board. Brooke explained they are updating the Committee tonight. Brooke received a letter from Dave the surveyor who is going to come up with a site plan and the NOI will be submitted. Mr. Zimmer said a building permit has been applied for. They are proceeding with what was discussed at the last meeting. They are following the proper procedures.

Septic Repairs: 26 Gate St & 6 Pondview Way

Brooke updated the Board members. They don't require a filing. The Board members asked Brooke to find out who the contractors are.

Well Replacement-13 Pondview Way

Brooke said same thing applies here...no filing required. She spoke w/that contractor who confirmed that they put up erosion controls.

Tree Cutting at 97 Tremont St.

Brooke reviewed this project. The property owner is asking to cut two trees right next to the house, which are not in good shape. Brooke did a site visit.

COC REQUEST

None

MINUTES:

To be read and approved for June 19, 2019. Mr. Germaine made a Motion to accept the minutes as written, seconded by Mr. Dempsey, vote and passed unanimously 4-0-0.

NEW HEARINGS

PATRIOT PINES/SOUTH MEADOW RD.

RDA

Notice is hereby given, in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) (Regulations) and the Carver Wetlands Protection Bylaw (By-law), that a public hearing will be held at 7:15 p.m. on Wednesday, July 24, 2019, in Meeting Room 1 at the Carver Town Hall to hear the Request for Determination

of Applicability (RDA); filed by Weathervane at Patriot Pines; to determine: "(d) whether the area and/or work depicted on referenced plan (s) is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of the Town of Carver". The RDA is to determine whether the isolated depression located on the referenced property is subject to jurisdiction under the By-law; said area is not subject to jurisdiction under the Regulations. The project is located off South Meadow Road, Carver, MA, Map 112, Lot 1-5. All interested parties are invited to attend.

John Zimmer came before the Board on behalf of the developer. He reviewed the history of changes made to the property. Mr. Germain made a Motion to close the Hearing, seconded by Mr. Dempsey, voted and passed unanimously 4-0-0. The Committee is going to find that it is not a problem to go ahead and fill the area. Mr. Dempsey made a Motion to approve the negative determination, seconded by Mr. Germain, voted and passed 4-0-0. It is no longer a wetland.

PATRICK DUONG 14 CRANBERRY CIRCLE
DEP#SE126-585

NOI

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 (Citation 9.2), that a public hearing will be held at 7:30 p.m. on Wednesday, July 24, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; filed by Patrick Duong; for the restoration of an existing staircase and landings; replacement and extension of the existing rail-wood retaining walls; the removal of two trees; and selected vista pruning (not to exceed 10%) of the existing trees. The proposed work will be conducted within the 100 and 65-foot buffer zone to Wenham Pond. A variance is required to allow the work within the 65-foot buffer protected under the By-law. The site and work are also located within Priority Habitat for Rare and Endangered Species as mapped by the Massachusetts Natural Heritage and Endangered Species Program (NHESP). The project is located at 14 Cranberry Circle, Carver, MA; Map 42A, Lot 23-0-R. All interested parties are invited to attend.

Mr. Dempsey shared with the Committee that this property owner is a neighbor and he is helping him with this. He is requesting to stay on the Board and as he feels there is no conflict. Mr. Germain made a Motion to allow Mr. Dempsey to stay on the Board, seconded by Mr. Moore, voted and passed 3-0-1. Mr. Dempsey is representing him with regard to any questions. Mr. Dempsey reviewed the plan and explained the request before the Committee. Mr. Moore made a Motion to close the Hearing, seconded by Mr. Germain, voted and passed unanimously 4-0-0. Mr. Germain made a Motion to approve the NOI as drawn on the plans, with stipulation to get complete building plans, seconded by Mr. Moore, voted and passed 3-0-1, with Mr. Dempsey abstaining from voting.

19 SOUTH MAIN ST.
DEP#SE126-583

NRAD

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 24, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Abbreviated Notice of Resource Area Delineation (ANORAD); filed by Bradshaw Real Estate Trust. The Applicant is requesting, through the ANRAD, that the Carver Conservation Commission confirm the wetland resource areas on the property. The project is located at 19 South Main Street, Carver, MA, Map 87, Lot 2-13A. All interested parties are invited to attend.

Elise Tripp is here representing Bradshaw Real Estate Trust. She reviewed the project. A site walk was done. Brooke shared her findings from the site walk on Monday. Mr. Nauen would like to have an outside consultant review the property. Ms. Tripp will check with the applicant. The Board will decide who is hired. Brooke will see who can do this the soonest.

John Deli Priscoli lives across the street from this project. He wanted to let the Board know that he would like to have a consultant (Brian Butler) to advocate on his behalf. He would also like a copy of the plan as well. He said his concern is the amount of wetlands on the property.

Pierre Cole, 22 So. Main Street. He said "way back" there was the possibility of a town well being placed on the property. He would like to express his concern as well about the water on the property. Mr. Germain made a Motion to continue the Hearing until August 21st, seconded by Mr. Dempsey, voted and passed unanimously 4-0-0.

CONTINUED HEARINGS

NEXT SUN ENERGY SOLAR OFF ROCHESTER RD.
DEP#SE126-586

NOI

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 7:15 p.m. on Wednesday, June 19, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by NextSun Energy, LLC; for the proposed construction of a dual use cranberry/solar facility. The proposed dual use solar project is within the active cranberry bogs and the areas used for the production of cranberries and; therefore; portions of the work are within resource area bank, bordering land subject to flooding, bordering vegetated wetland (BVW) and within the 100-foot buffer zone to BVW and bank. The project will require a variance from the Carver Wetlands Protection Bylaw for the work within the 65-foot buffer. The project is located off Rochester Road, Carver MA, Map 92, Parcel 8, 9, 14, 15, 16, 17, 20 and 22, Carver, MA. All interested parties are invited to attend.

Sarah Sterns from Fields & Thomas and Adam Schumaker from Next Sun Energy appeared before the Board. They are requesting the Hearing be continued. Mr. Germain

made a Motion to continue the Hearing to the August 21st, seconded by Mr. Dempsey, voted and passed unanimously 4-0-0.

NEXT SUN ENERGY SOLAR OFF TREMONT ST.
DEP#SE126-584

NOI

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 7:30 p.m. on Wednesday, June 19, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by NextSun Energy, LLC; for the proposed construction of a dual use cranberry/solar facility. The proposed dual use solar project is within the active cranberry bogs and the areas used for the production of cranberries and; therefore; portions of the work are within resource area bank, bordering land subject to flooding, riverfront area, bordering vegetated wetland (BVW) and within the 100-foot buffer zone to BVW and bank. The project will require a variance from the Carver Wetlands Protection Bylaw for the work within the 65-foot buffer. The project is located off Tremont Street, Carver MA, Map 127, Parcel 10, 12 and 21, Carver, MA. All interested parties are invited to attend.

Sara Stearns Fields & Thomas and Adam Schumaker from Next Sun Energy as well as Mark Weston, land owner are present. There was a site visit on June 19th. She reviewed a few minor updates to the project. They tweaked the dimensions of the array on the bogs. There are now 3 separate inverter pads. Small changes were made in the fencing. They are still going through the Planning Board. They meet again with them at the next hearing. Mr. Moore made a Motion to close the Hearing, seconded by Mr. Dempsey, voted and passed unanimously 4-0-0. Mr. Moore made a Motion to approve the NOI, seconded by Mr. Germain, voted and passed unanimously 4-0-0.

17 Wareham Street

Mr. Nauen said the property owners are doing nothing to resolve the issues brought forth before the Commission a few months ago and he noted no screening has been replaced. It will be added to the August 7th agenda and Brooke will request they appear for an update.

Next meeting: August 7, 2019.

Mr. Germain made a Motion to adjourn, seconded by Mr. Moore voted and passed unanimously 4-0-0.

Respectfully submitted,

Marianne MacLeod
Recording Secretary