



Approved
7/24/19

CARVER CONSERVATION COMMISSION MINUTES OF JUNE 19, 2019 MEETING

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

Mr. Nauen opened the meeting at 7:03 p.m.

APPOINTMENTS/DISCUSSIONS

Informal Discussion of 98 Meadow St. Pool Installation

This will be continued to the next meeting.

BUSINESS:

0 Shoestring Rd.-Violation

Brooke sent a certified letter and hasn't received the green card back. Brooke suggested a site visit before the next meeting. Brooke can do a site visit on Friday at 10:00 a.m.

Mr. Germain made a Motion to have a site visit on Friday at 10:00 a.m., seconded by Mr. Moore, voted and passed unanimously 5-0-0.

Cranebrook Restaurant-NOI for existing and future work

Maria Marcalo, who is the owner of Crane Brook Restaurant, is present, along with Armando Pereira, Residential & Commercial Design, who is working with owner as the designer. He handed out site plans to all members. He reviewed the plans. He explained they are planning on making the gravel parking area in front an asphalt lot. They also want to repair the fence on the front of the property between the gate and fence. There are a lot of lily pads in the stagnant water and they'd like to add in a fountain to move the water and avoid mosquito breeding in the stagnant water. The board members also looked at colored photos that were provided by Mr. Pereira.

Mr. Moore said there are no 65' or 100' and 200' lines shown on the drawings that were provided.

Mr. Moore explained how the Commission worked in the past with people who have come before the Commission and that doing something without proper authority because

of not knowing is not acceptable. There are bylaws available to review. He feels there has been a considerable amount of work done without authorization.

Mr. Dempsey agreed with Mr. Moore.

Mr. Pereira said this is a very unique situation. The building is way inside the lines and he is questioning: in this case, where the building is already inside the buffer zone, it should be looked at a certain way because the building cannot be moved.

Mr. Badger explained that a shed was built with a pad without authorization to do so within the wetlands area, along with other work that was completed such as the pavers that were put down.

Mr. Germain also said that the shed shouldn't have been built without authorization, and the Commission cannot ignore the fact that it was built.

Ms. Marcalo said the Commission shouldn't assume all residents of the Town know what the bylaws are.

Mr. Badger said at the last session she acknowledged the shed wasn't in the plans for approval.

Mr. Nauen said the Commission will try and help them resolve this issue. Mr. Germain said there are some areas that are grandfathered in. He explained that they need to be careful with what is done so that future applicants don't use this situation to their advantage of not following the bylaws.

Mr. Moore explained the 100' buffer zone is a State law. Mr. Pereira addressed the fact that he was out of the country for a bit and got a phone call right after returning and did speak with Brooke. They are at the 11th hour unfortunately and they want to correct things. The plan is a graphical representation of what is there and what they would like to do. He understands what is being asked for and they will fulfill the requirements, including filing a Notice of Intent. Before they do this, they want to be sure they have everything straightened out.

Mr. Nauen suggested another site visit. Mr. Badger said aside from bylaws and knowledge of what is appropriate and what is not, the fact is a shed was built.

Mr. Pereira said that the building inspector visited the site after the original phone call.

Mr. Nauen explained that this is going to have to be reviewed, a conversation with the building inspector, etc. and he feels more time is needed.

Mr. Pereira is working on plans to be submitted.

Brooke said the property owner came for a building permit for a bump out and stone wall. The property owner thought that included the addition in the back.

Ms. Marcalo said the Fire Department, Board of Health and Building Inspector are coming to the site tomorrow. They are hoping to do a soft opening by this weekend.

Mr. Pereira said he is available to meet with anyone and he is happy to set up a meeting at any time. He reiterated that they are here to work with the Town to fix this situation. He explained the quicker this gets resolved, the better; however whatever is needed, he is willing to be the intermediary.

Mr. Germain made a Motion to continue the discussion at the next meeting, July 17th, seconded by Mr. Badger, voted and passed 4-1-0 for a continuance.

Mr. Germain made a Motion to reconsider the above vote, seconded by Mr. Dempsey, voted and passed 5-0-0.

Mr. Moore made a Motion to continue the discussion to July 24th, seconded by Mr. Germain, voted and passed unanimously 5-0-0.

COC REQUEST

None

MINUTES:

To be read and approved for June 5, 2019. Mr. Germain made a Motion to accept the minutes as written, seconded by Mr. Dempsey, voted and passed unanimously 5-0-0.

NEW HEARINGS

NEXT SUN ENERGY DUAL USE SOLAR OFF ROCHESTER RD. 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 Next Sun 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.

A site walk-thru was done this morning. Ms. Sarah Stearns, Fields & Thomas and Adam Schumaker from Next Sun Energy came before the Commission. Ms. Stearns explained the project consists of three parcels – 0, 0 Rear and 60 Rochester Road. This is a dual-use project under the current SMART program. The panels would be raised and further apart than other solar projects that have been done. This is approximately 20 acres of bogs. It will have battery storage. This project will help keep the farm in operation. The site is set back off the road and has significant buffering from neighboring properties.

Mr. Schumaker explained how the array works. He had a video to share and will email a copy of the video to Brooke. They are hoping to wet and dry picking the bogs. They are going to the Planning Board on July 9th. They have been proactively meeting with abutters.

Mr. Germain made a Motion to continue this Hearing to July 24th, seconded by Mr. Moore, voted and passed unanimously 5-0-0.

NEXT SUN ENERGY DUAL USE SOLAR OFF TREMONT ST. 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 Next Sun 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.

A site walk-thru was done this morning. Ms. Sarah Stearns, Fields & Thomas and Adam Schumaker from Next Sun Energy. This project is made up of three contiguous properties with access from both Tremont and Wareham Street. She reviewed the plans. This will be approximately 60 acres of bogs. This project is the same as the previous project that was discussed a few minutes ago. It is set back off the road. There will probably be a third of the battery storage at each parcel.

Kara Dahill property owner of 319 Tremont Street came before the Board, and she wanted to know that, due to the fact that they have a heliport landing zone on their property, the flight path is right over this project, so they're concerned that if there is ever an emergency, they may go down onto the solar panels. She knows she will have to go before Planning with her concerns. She said they are not against this project at all.

Mr. Moore made a Motion to continue the Hearing to July 24th, seconded by Mr. Germain, voted and passed unanimously 5-0-0.

CONTINUED HEARINGS

NONE

Next meeting: July 24, 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