



*approved  
3/4/2020*

## CARVER CONSERVATION COMMISSION MINUTES OF JANUARY 22, 2020 MEETING

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

Mr. Nauen opened the meeting at 7:00 p.m.

### **APPOINTMENTS/DISCUSSIONS:**

Discussion of flooding issues-Crystal Lake Dr. Brooke said they'll hold off on this; Mr. Germain spoke w/Mr. Paduch. He explained there were a couple of dikes closed during the hard rain. The two dykes were opened and it took about six hours to drop the water level. Mr. Paduch said he'd pay attention to it in the future.

### **BUSINESS:**

Patio removal at Cranebrook Restaurant. Brooke shared a picture of this. They've been allowed to leave the shed and they will remove the same amount of impervious material from the patio. The area was measured and is all set.

Mr. Deli Priscoli came before the Board and explained a previous Notice of Intent that was filed. He gave a history of an upper level, small bog, which was built physically higher than all the other bogs. Roger Heckler was the owner and Mr. Deli Priscoli purchased it. The area was a large gravel source and in approximately 1999-2000 an artesian well was installed. It was approved by the Board. What is happening here now is some re-grading for future projects at this location. He wants the Board members to be aware of what they're currently doing. The members thanked him for coming and explaining.

### **COC REQUEST:**

None.

## **MINUTES:**

To be read and approved for December 4, 2019. Mr. Germain made a Motion to accept the minutes as written, seconded by Mr. Moore, voted and passed unanimous 4-0-0.

## **NEW HEARINGS**

### **201A TREMONT STREET**

**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, January 22, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent (NOI); submitted by the Applicant, Danny Warren; for the proposed demolition of the existing single family dwelling; and construction of a new dwelling at the same location, with associated subsurface sewage system, utilities and grading within the 65- and 100-foot buffer to Sampson's Pond and an irrigation canal. The proposed work is within the 65-foot buffer protected under the Carver Wetlands Protection By-law and will require a variance under the By-law. The project is located off Tremont Street, Carver, MA, Map 7, Lot 2. All interested parties are invited to attend.

Bob Rogers with GAF Engineering appeared before the Commission. He reviewed the plans that were submitted. The rebuild will be the same size as the existing, with a slight reduction of the deck. The Board of Health is waiting for additional information before approving this. They will be going before the ZBA for a special permit. Mr. Nauen shared the Board's concern that it is so close to the pond.

Mr. Harold Taylor, an abutter asked if the septic is planned to be tied into the existing leaching area of the other house on the property or will it be separate? Mr. Rogers answered they are both separate. They will share the well, but have separate leaching and septic tanks.

Mr. Germain made a Motion to continue the Hearing to the March 4, 2020 Conservation Commission meeting, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

### **LOT 1 MEADOW STREET**

**DEP #126-593**

**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, January 22, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on behalf of JLK Realty Development, LLC; for the construction of a single family dwelling, with associated subsurface sewage disposal system, driveway, utilities and grading. The proposed grading associated with the new dwelling is located within the 100-foot buffer

zone to wetland resource area isolated vegetated wetland and bordering vegetated wetland; the proposed dwelling is outside the 100-foot buffer zone. A portion of the proposed well connection line is within the 65-foot buffer protected under the Carver Wetlands Protection By-law and will require a variance. The project is located at Lot 1 Meadow Street, Carver, MA; Map 81, Part of Lot 5. All interested parties are invited to attend.

Jamie Bissonnette from Zenith Consulting Engineers came before the Commission. There was a site walk today. He reviewed the project for members. They will clean up all the debris on the property.

Lauren Labbee 185 Meadow Street, came before the Commission. She is concerned about all the clean up that is needed. She wanted to know if the water area could be filled in because it is always wet. The new owners would have to come before the Commission if they want to fill it in. This is not in the plans for this project right now. Mr. Bissonnette also said the new owner has plans to remove all the debris. She also has a concern about the trees by the property border and wanted to be sure the new owners would have to come before the Commission if they decided to cut them down. The answer is yes.

Emily Style 195 Meadow Street came before the Commission. She wanted confirmation that the trees will stay put and also the trailer will be removed as well. It will be. She also asked what the status is on the other side of Lot 1, the bog. He has no idea but thinks it's an abandoned bog.

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

Mr. Germain made a Motion to issue the NOI as drawn, subject to the Order of Conditions, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

LOT 2 MEADOW STREET 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 7:45 p.m. on Wednesday, January 22, 2020 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted on behalf of JLK Realty Development, LLC; for the demolition of an existing dwelling and the construction of a new single family dwelling, with associated subsurface sewage disposal system, driveway, utilities and grading. The grading and driveway associated with the proposed dwelling is within the 100-foot buffer zone to wetland resource area isolated vegetated wetland and bordering vegetated wetland; the proposed dwelling is outside the 100-foot buffer zone. A portion of the well connection line is within the 65-foot buffer protected under the Carver Wetlands Protection By-law and will require a variance. The project is located at Lot 2 Meadow Street, Carver, MA; Map 81, Part of Lot 5. All interested parties are invited to attend.

Mr. Bissonnette from Zenith Consulting came before the Commission for this project as well. He explained this project in detail, which is similar to the plans for Lot 1.

Ms. Emily Style asked how many stories the houses are? They're both Colonial-style houses with a basement and garage.

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

Mr. Germain made a Motion to approve the NOI as drawn, subject to the Order of Conditions, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

Mr. Germain made a Motion to issue a Variance for the well line with the 65' buffer zone as drawn on the plan, seconded by Mr. Moore, voted and passed unanimously 4-0-0.

### **CONTINUED HEARINGS**

(TO BE HEARD @ 7:00 PM)

19C WARD ST. - DEP#SE126-589

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, September 18, 2019 in Meeting Room 1 at the Carver Town Hall to hear the Notice of Intent; submitted by Borrego Solar Systems, Inc.; for the proposed construction of a 2,495.610 kW ground mounted photovoltaic solar array. The proposed array; which is an expansion of the existing solar array; is to be installed on the upland cranberry bog located on the northwesterly portion of the property. The solar array is located within the 100 and 65-foot buffers from the existing wetland cranberry bogs and will require a variance from the Carver Wetlands Protection By-law. The project is located at 19C Ward Street, Carver MA, Map 120, Lot 6-0, Carver, MA. All interested parties are invited to attend.

Dean Smith from Borrego Solar came before the Commission. He shared a new set of plans that were updated. There were a couple of areas offered for mitigation. They have submitted a planting plan and showed the mitigation area on the plan. The owner has approved going ahead with this plan. Brooke also reviewed this and feels it is okay. Mr. Moore made a Motion to close the Hearing, seconded by Mr. Germain, voted and passed 3-0-1 with Mr. Badger abstaining because he came in late to the meeting.

Mr. Moore made a Motion to issue the Order of Conditions, seconded by Mr. Germain, voted and passed 3-0-1, with Mr. Badger abstaining because he came in late to the meeting.

Mr. Moore made a Motion to approve the Variance and replication, seconded by Mr. Germain, voted and passed 3-0-1, with Mr. Badger abstaining because he came in late to the meeting.

Brooke advised the Board that the Benne's from 22 Lakeview requested to continue their Hearing.

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

Respectfully submitted,

Marianne MacLeod  
Recording Secretary