



approved
4/21/21

CARVER CONSERVATION COMMISSION MINUTES OF APRIL 7, 2021 MEETING

Present: Chairman Savery Moore, Vice-Chairman Jim Nauen, Alan Germain, Dan Badger, Peg Blackwell, Environmental Scientist/ Agent Brooke Monroe, and Recording Secretary Ashley Swartz.

Mr. Moore opened the meeting at 7:02 P.M.

Discussion

Approval of Article 16 as set forth in the Warrant

Sarah Hewins presented this Article to get support from the Commission.

The town currently has three (3) landfills, one of which is on town-owned property and two of which are on private property. This article will prevent any more landfills and prohibit the building and/or permitting of any new such facility and/or fly-ash facility, to protect the residents and our natural resources including our water resources.

Mr. Germain made a motion to support Article 16, Ms. Blackwell seconded. Motion to support was unanimous, 5-0-0.

134 Main Street – Violation

Brook and Ms. Blackwell visited but think there needs to be a second site visit.

Commission agreed to set a date for a second site visit for Wednesday, April 21, 2021.

Unit 2B Shaw Road – shrub cutting

Home owner of 2B Shaw Road, Ken, was present for the meeting. Mr. Moore explained that the concern was regarding the trimming of shrubs and small trees that were going down to the water. Brooke defined this as *vista pruning*.

Ken explained he was before the Commission about a year prior to determine what he could and could not do regarding these shrubs and trees. His take away was that he had to maintain the root system. Mr. Moore explained that this was a bit of a grey area and they wanted to further explain that he had to preserve the canopy and only 10% of that canopy could be cut back. Mr. Moore further explained that the canopy of the vegetation protects the under-story, keeping the underneath cool and moist. Ken requested a letter from the Commission regarding what he could and couldn't do to his property. The Commission said they would follow up with a letter for him.

A fellow Shaw Road resident was also present, concerned about what has been removed from the property. After some back-and-forth, it was agreed that both residents and some members of the Commission would meet at the property on Wednesday, April 21, 2021 for a secondary site visit to walk the property and discuss what could and could not be cleared.

201 Tremont Street – wall construction

This has been moved to the next meeting, Wednesday, April 21, 2021.

Sponsorship of Orange Trail (Cole Property) Suspension Bridge

Mr. Moore began by explaining that the vote regarding this property was not for funding, but simply for sponsorship support.

Mr. Badger spoke to some details of the project:

The property is under Conservation restriction of the Audubon Society and a representative walked the site with us. They were very pleased with the site and the proposal, and wrote a support letter to the Preservation Committee to reiterate their support of the proposal. The funds are going to the approved construction company in charge of this project; no funds will be going to Conservation Committee (CPC funds) but for procedural reasons needs sponsorship from the Commission.

Mr. Germain pointed out the importance of noting the allocation of funds due to recent errors posted in local articles.

Mr. Germain made a motion to support the sponsorship of this project. Ms. Blackwell seconded. The vote was 4-0-1 with Mr. Badger abstaining, as he was the author of this proposal.

157 North Main Street NOI DEPSE #126-618

Kevin Grady and David Mulcahy from “oh DEER” – proposed build out of new facility, max out the area that can be developed, utilizing the existing septic system. No work proposed within 65 feet no-disturb zone.

Lot consists of 202,000 square feet in total, and of the combined lots, they contain 19,500 square feet of vegetative-buffer-zone of wetland (100 feet). In the proposed plans, 70% of the 100-foot buffer-zone will be maintained. The overall impact within the 100-ft buffer -zone (of the two [2] properties) is less than 20,000 square feet. This phase will be a total of 13,000 square feet. The parking and a corner of the building will be in this 100-foot buffer-zone. The paving is for emergency vehicle access.

Mr. Moore said that a decision could not be reached tonight. He expressed that his biggest concern was around the amount of pavement within the 100-foot buffer-zone due to the root system and ecosystem that supports the wetlands. He understood the concern the fire department has for pavement for emergency vehicles but pointed out that the other building has gravel – questioning why this building could not do the same. He continued by asking them to revise the plans to alleviate as much encroachment into the 100-foot zone as possible, suggesting they could eliminate some of the parking spaces – he asked for them to take a look at the plans and look for any possible ways to reduce the footprint into the 100-foot buffer zone. He noted the

importance of setting a precedent for the 100-foot buffer zone. Kevin argued they are allowed to work inside the 100-foot zone and Mr. Moore clarified that the by-law states that you can work within the 100-foot zone “with permission”. Kevin clarified that they designed the facility to work within the needs of the applicant and they will look at: alternatives for the pavement (such as impervious pavement solutions), end feed garages, and other ways to get fire trucks around the building. Mr. Moore stated that the 65-100 foot buffers give the Commission a chance to say yes or no and they needed to find a compromise. Mr. Badger explained that in Carver, our water table is close to the surface – by possibly reducing the 800 square feet of the building that falls in the buffer zone, that would make an impact. He suggested the possibility of cutting down the square footage of the building. Mr. Germain explained that they were asking for too much and that a revision needed to be made. Ms. Blackwell echoed everyone’s comments explaining that this is a major wetland and by building on this land and putting trucks on it you’re pushing water down. The trees stabilize it and now you’re removing the trees. She pointed out the land “is what you bought”. Mr. Nauen also was in agreement.

Mr. Germain explained to Kevin and David that he was pro-business and wanted them to succeed, but they needed to be more conservative with what they were asking. He agreed with Ms. Blackwell and said the land can support a smaller structure.

A neighboring couple, the Nash’s were present to express their concerns. They discussed how wet the property is and how they have noticed the number of trees that appear to come down now compared to before the first oh DEER property was built. It is important to note it cannot be confirmed the reasons for the trees being down since there are a number of factors that can contribute to this, as the Commission pointed out (factors include age of trees, wind, saturation, etc.)

Mr. Germain made a motion to continue 157 Main Street until May 5, 2021. Mr. Nauen seconded the motion, and it was unanimously voted to continue, 5-0-0.

Montello Street Intersection DEP SE #126-617

Wayne and Chris returned with answers to clarify questions and concerns from the previous meeting.

Wayne noted there would be signs indicating a dead end and demarcating the end of the road with six (6) trees and a granite curb. He also explained that the MEPA Certificate that was referenced by a resident at the last meeting did not mention a need for a bridge. Mr. Germain clarified that due diligence was necessary. Wayne also clarified compliance was being met. Chris reviewed the DEP Comments noting there were no issues. Mr. Germain made a motion to close the hearing for Montello Street Intersection DEP SE #126-617. Ms. Blackwell seconded and was approved unanimously, 5-0-0. Mr. Germain then made a motion to approve the revised plans dated April 7, 2021, pages 12, 23, 27, 28 and 61 as drawn. Ms. Blackwell seconded and the motion was approved unanimously 5-0-0.

MINUTES: March 17, 2021

Mr. Germain made a motion to approve minutes, seconded by Mr. Nauen, approved unanimously 5-0-0.

Mr. Germain made a motion to adjourn meeting, seconded by Ms. Blackwell, approved unanimously 5-0-0.

7-Apr-21

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