



CARVER CONSERVATION COMMISSION
MINUTES OF OCTOBER 5, 2022 MEETING

Present: Chairman Savery Moore, Vice-Chair Alan Germain, Dan Badger (via phone call), Environmental Agent Gary Flaherty and Recording Secretary Ashley Swartz.

Mr. Moore opened the meeting at 7:06 P.M.

DISCUSSION/BUSINESS:

Scout Project at Cole Property

JT Toomey is working on a project to improve the Cole Property (the kiosk information is outdated) and the access is cumbersome. He wants to remove the old kiosk and add a new one, he wants to update the signage, clean up the area of the kiosk as well as cleaning up fallen trees. The maintenance plan involves other groups that will work together on updating kiosk information and upkeep trail markings (in the case of fallen trees) and keep trails clean. New trail markings will include spray paint and stencils. JT's plan is to use pressure treated wood 6' x 3' with pressure treated posts and plexiglass. He will add a latch in order to easily update the information. He will provide snacks and orange hats for the volunteers, use rakes and shovels for cleanup. His concern is this project is during hunting season – the plan is work on this on Sundays. They will need cement to secure the posts. He wants to make the Cole Property better for all those who want to use it. Mr. Moore noted the kiosk at Savery – letting JT know the hinge should go at the top rather than the bottom in order to prevent water. He was pleased the markings would be done with paint since nails and screws can damage the trees. The estimated cost is \$800. Mr. Badger added that the information included in the kiosk will be wildlife information like plants to look out for on the trails. Mr. Badger added that JT has spearheaded this project himself and he was happy to see a maintenance plan. Mr. Germain added that this is “a big deal” and that this is what “small towns are all about”. He applauded JT on his efforts and asked how money can be donated. He explained that donating through the Boy Scouts Troop 48 or at the Farmer's Market donation jar. He continued by thanking him for his work. Mr. Germain made a motion to approve the Scout Project, seconded by Mr. Badger, approved unanimously 3-0-0. Mr. Germain made a motion to authorize Mr. Moore to sign on behalf of the Conservation Commission, seconded by Mr. Germain, approved unanimously 3-0-0.

Amend OOC – SE#126-553 “Weathervane at the Links” formerly “Patriot Pines”

Sarah Stearns, Beals and Thomas, current under construction project. She showed the partially approved conditions and since, there has been land added at the rear of the project (through an A&R). The redesign will require some grading in the back part of the parcel. Gary suggested an informal hearing to understand the what would be needed for the additional work. She was hoping to get an amended order of conditions. Sarah explained that they would be doing work in the buffer zone (100-foot zone) – at the outskirts. She was hoping to update the current order in order to have one set of documents for the project. Mr. Germain explained to Mr. Badger and Mr. Badger said he was familiar with the project. Sarah said she would be back with a formal request. The members were in agreement this would be an amendment. Mr. Moore asked if a representative could be present for the next meeting. She discussed that the same people would be working on the project. Mr. Moore explained that sometimes when a change of ownership happens, communication can get lost from project to project. Mr. Germain made a motion to approve the ability to

amend order of conditions (date to be determined), seconded by Mr. Badger, approved unanimously 3-0-0.

CONTINUED HEARINGS

0 South Meadow Road

NOI DEPSE# 126-649

Sarah Stearns, Beals and Thomas. This is a cranberry bog restoration project proposed by Edgewood bogs as a partnership. The bogs are now retired. The property owner has been in communication with the downstream grower. There is an increase in all the resource areas of the site as a result of this project. The plan is to continue to have the water flow, now in a more naturalized pattern. Gary commented that the design was done really well. Mr. Moore asked if the bogs were being flooded – they are not for harvest but because of the dam and downfield grower he is backing water up on his property. The intention is to have this site continue to act as a wetland and be zero maintenance. Mr. Germain's only concern was that the grower on the south side of the project was concerned about the water flow. Someone in the audience said the water flow has been shut off. From MA DER's perspective, the supply of water for the agricultural purposes is not relevant for this Notice of Intent. Sarah said she was hopeful the growers could make it work but did not think this was the appropriate forum to discuss this. In her opinion, one grower was not responsible for providing water to another grower. She believes this needs to be worked out with the land owners. Mr. Germain said he understood what Sarah was saying and didn't doubt what she was saying – however in this area there has been a history of sharing a common pond. Mr. Germain noted that this is a community and it works well because of that community. He was concerned in a drought year, there may be difficulty for bog owners to access water because their supply has been cut off. He continued to say that he was hesitant a green light on this project could hurt adjacent owners. Sarah agreed with Mr. Germain's comments but clarified that the bog has been retired for a year and the bog has not been flooded since – regardless of whether or not this project happens, the flooding still will not occur. Sarah pointed out that it would be difficult for owners to retire their bogs if it was dependent on who the bogs they supply water to. Gary noted the bogs will hold more water after the restoration. Mr. Moore agreed with Sarah and pointed out that their purview consisted of the project. Sarah is representing the project, not how the owner operates his property or who has rights to what. Mr. Badger added that although certain aspects of the project are outside the Conservation's jurisdiction, he was still concerned about the affects it will have on other growers. Mr. Moore said if this is a "no" vote, the bog stays exactly how it is now and the Commission will have no further say. He said they should continue to encourage the conversation among the growers. An abutter, Susan Mehorg, was present. Since 1940 that flow has been used to supply their bogs. Her opinion is that this project would stop the natural flow of a river due to the number of bogs and rivers this supplies. She stated that there are rights of those who use the water supply and was concerned these riparian rights were being infringed. They were encouraged to have a conversation and since the conversation, a padlock has been added to the flume and now the natural flow. Mr. Germain asked if there was any water down the canal. Susan said that it may be "trickling". Mr. Moore said he didn't think this was the place for the conversation. He noted this should be continued, and in those conversations, they needed paperwork to be provided regarding the rights. Mr. Germain made a motion to continue the hearing, until November 16, 2022, seconded by Mr. Badger, approved unanimously, 3-0-0.

3-4 Park Avenue

NOI DEPSE#126-653

Bruce Haskell, representing applicant. The site being redeveloped under an Urban Renewal plan. Due diligence is underway and it was discovered P-FAST – an emerging contaminate. The current owner found out there was PFAST in the ground water and underwent assessing the level of contamination as well as the sources. The extent has been determined and is fairly stable now. No private wells have been impacted. Two sources were identified – 1 Park Avenue that shut down 2016-2018. The second, and more

significant had brought in composted waste water residuals and composted. This material was reused and further composting and eventually shut down by DEP. He buried the material on the SW corner of the former gravel pit. Soil sampling was done to determine further remediation. No further action does not need to be undertaken. On the SW corner there is still some left-over material. This process is being regulated under the MCP. The proposed plan, they will excavate the material from the North into the South. The area will be capped with an impermeable cap (like the one on the landfill). There are wetlands (which were recently re-delineated) which abuts a portion of the cap area. There is an area that will also be regraded to prevent standing water from collecting. The purpose of this NOI is to treat the area prior to redevelopment. They will have a long-term monitoring program after this is completed to test the effectiveness of the cap. Mr. Germain thought it was irresponsible to go forward with a plan only two of them could see. He suggested this was put off for two weeks for a full board. Mr. Badger asked if the margins of the plume have been identified. Bruce said this has been completed, Gary said he would provide the RT number so Mr. Badger could look this up. Bruce said he was hoping to get the cap constructed this fall, Mr. Germain agreed and said this was a "huge project" for Carver. Mr. Moore was in agreement that this should be continued. Mr. Germain made a motion to continue the hearing until October 19, 2022, seconded by Mr. Badger. Bruce asked if there were specific questions that he could answer, please provide them in advance. Mr. Moore asked about the small pond that was being removed, he wanted to know where that water was going. Bruce said it would go into the groundwater table. The plumes moving NW, Mr. Moore asked if this was caused by the water. Bruce explained that the cover would prevent the water from going deeper. The Commission approved the continuance 3-0-0.

NEW HEARING

6 Crescent Road

NOI SE#126-651

Joe Webby from Webby Engineering, and Matt Sullivan, the property owner. There was a dwelling that used to be on the property that had been torn down. A delineation has been done. Most of the property has been degraded through previous use and would like to put a well in within the buffer. The property owner asked to have the home set back as far as he could. Mr. Germain said he would like to see the house shifted and further away from the buffer. He said the problem he has is when you walk around the back of the house you are in the 65-foot zone. He added that eventually "stuff will happen" in the 65. He asked if they could see a plan B where the house was brought up. Mr. Moore was in agreement and referenced another project that was similar. Anything under 500 square feet can be filled in without replicating – there is a little "bump" of the wetlands and removing this piece to get the rear of the home out of the 65-foot. Matt explained the reason for putting the house in the position it is – the Commission agreed that sliding the house a little towards the street, as well as removing the "bump", they would be in a more amenable area. An abutter was present. He was concerned about the amount of standing water that is on the property – noting what happened with the water flow once the previous home was removed. He was concerned about flooding (which currently occurs at his property). He also noted the amount of trash that needed to be cleaned up. Gary read the statute that allowed the area to be removed and not replicated – to have on the record. Mr. Moore noted the wetlands delineation from 2013.

The Commission lost Mr. Badger's connection and the hearing was continued to October 19 out of the rule of necessity, due to lack of quorum.

MINUTES

To be read and approved for September 21, 2022

Mr. Germain asked to move the approval of the minutes until there was a quorum.

Out of the rule of necessity the meeting was adjourned by Mr. Moore. Adjourned 8:33 PM.

Minutes submitted by Ashley Swartz.