

approved  
12/7/22



**CARVER CONSERVATION COMMISSION  
MINUTES OF NOVEMBER 16, 2022 MEETING**

**Present:** Chairman Savery Moore, Vice-Chair Alan Germain, Dan Badger, David Hall, Curtis Lake, and Environmental Agent Gary Flaherty.

**Not Present:** Recording Secretary Ashley Swartz. Minutes recorded via Area 58 footage.

Mr. Moore opened the meeting at 7:00 P.M.

Mr. Moore and the Commission recognized Mr. Nauen for his 26 years on the Conservation Commission. He was presented with a citation signed by the Massachusetts Speaker of the House.

**DISCUSSION/BUSINESS:**

Mr. Moore introduced new member, Curtis Lake, who was sworn in the night prior to the meeting.

**90 Main Street – COC**

This is a partial COC for one building and the pavement around it. Across the elementary school and the order of conditions have been in place since 1986. Mr. Germain made a motion to approve the COC as drawn on the plans from 1986. Seconded by Mr. Badger, approved unanimously 5-0-0.

**161 Meadow Street – COC**

This is a partial COC, everything that was on the NOI was built except the swimming pool. The members who visited the site said it was built in accordance with the plans.

Mr. Germain made a motion to approve the COC as drawn on the plans, seconded by Mr. Badger, approved unanimously 5-0-0.

**44 Lakeview Street**

Mr. Badger spoke with a number of contractors regarding what can be done with the site. The property was acquired with the hope of serving as a conservation property and outdoor education. The plan is to plant indigenous flowers, take down dead trees (hazardous), and have initial plans to introduce some indigenous species (American Chestnut) and have some outdoor education groups who want to start a bird box program, and erect a three-season pavilion that will serve as a meeting space. They currently have access to certain funds that will allow the building to start in 2023. The biggest piece in question is the house on the property and whether or not that could be turned into a meeting space. The thought was to rehab the building with recycled materials. He is examining some best practices to implement here in Carver. The building's long-term plan is to be a meeting space for three-seasons until the utility questions are addressed. Mr. Moore said anything where donations are available is a great starting point but need to establish a funding source for this project, future projects and maintaining spaces like this in the future. He also asked to see some type of schematic of what the structure will look like and they will do a site visit. Mr. Moore also noted how the property will interact with the COA next door. Mr. Badger added some scout projects that were also interested in projects at this property.

### **Redevelopment Authority – 0 Wade Street**

Presentation from Ms. Sharon Clark, Chairman of the RDA. 6.32-acre parcel, the subdivision plan and assessor map have been submitted. This is part of Vaughn Estates off South Meadow Road. There was a tax lien on the property, it was transferred to the Select Board and then transferred to the RDA for redevelopment. In 2012, the parcel was given back to the Select Board and the project fell off. The Bristol Brothers expressed interest in purchasing the parcel. With Covid, things again got lost in the shuffle and they needed to determine who owned the property and what to do with it. Sharon described the property as well as noted the abutters were vocal about what was happening to the property. Sharon is looking to put it into a passive recreation property, hoping the property will be “left alone”, asking the property be in the care of Conservation. There are concerns about encroachment and Sharon would like to have an instrument survey done. Mr. Moore said the end game is always to donate the property to Conservation. If they are to accept the donation of the property, they will rescind their request from 2012. He clarified that it is not a matter of who will get the property, it is a matter of who offers it to Conservation. The Select Board would then vote that they no longer take action on the property once it falls under Conservation. They would accept the property; the land would be turned over in the deed and Conservation would look at to using the acquisition funds to pay for the survey. Mr. Germain noted that this could not be a discussion but would have to be an agenda item for another meeting in order to vote. He suggested speaking to Mr. Fennessey. Mr. Germain made a motion to move forward with the acquisition, seconded by Mr. Badger, approved 4-0-1, with Mr. Moore abstaining. Sharon asked if a site walk would be needed, Gary said he would look at the property. Sharon also noted that there may be structures and fencing on the property that would need to be discussed. (Making the survey a necessity).

## **CONTINUED HEARINGS**

### **0 South Meadow Road**

**NOI DEPSE# 126-649**

Sarah Sterns with Beals and Thomas, and property owner Matt Rhodes for a cranberry bog restoration project. This has been deemed a MA DER priority project. The bogs have been retired and water continues to flow through these bogs (and will continue as a result of this project). Mr. Moore said they were all out at the site visit November 5, and had no further questions and thought it was a great use of the property. Mr. Germain added that he had reservations about this because he had the wrong bog. When he saw the location and what would happen, he said he was concerned about downstream, but now he has no issue – he doesn’t believe there will be issues downstream. Mr. Badger had the same concerns until they learned what bog it was. He noted the care that went into the plans – as a regeneration plan. They are going back to how the water was originally flowing – creating bends in the water way (which enhances the quality of the topography and encourages wildlife). He also noted this was model for future projects. Mr. Germain said this was very expensive and the owner could just walk away but this will actually turn into something – a great expense to bring this land back to the way it should be rather than be another abandoned bog. He noted the tremendous amount of work that went into this project.

A member of the audience, asked if the water would continue to flow into their bogs. Matt said the flow would not stop. This bog was decommissioned since the middle of August and they have had no change in the water – he doesn’t expect that it will. The canal will be gone but the water will flow down the middle of the bog instead. They discussed some logistics of how the water can be stored on his bog to be used for her bog, as well as how the main stream will operate. Motion to close the hearing made by Mr. Germain, seconded by Mr. Badger, approved 4-0-1, with Mr. Lake abstaining. Mr. Germain made a motion to approve the plans as drawn June 22, 2022, seconded by Mr. Badger, approved 4-0-1, with Mr. Lake abstaining. Mr. Germain made a motion to approve the variance, seconded by Mr. Badger, approved 4-0-1, with Mr. Lake abstaining.

## NEW PUBLIC HEARINGS

### **20 Shoestring Road**

**RDA**

The order of conditions was issued in August of 2022, the pool area was not defined when the project was reviewed earlier this year. The existing conditions plan shows the perimeter road around the area and sets a boundary for the development area. The pool area includes an activity pool, a splash pad, and a mechanical building. There is approximately 7600 square feet of impact area. Part of this plan is within the 100-foot buffer. No work will be done within the 65-foot buffer. There are trenches within the concrete deck that will pick up storm water and a CDS unit which will filter out the debris and hydro-carbon and filtered into the basin (outside of the 100-foot buffer). There is also a wash tank that will hold the backwash of the pool and pumped into a dry well. The dry well will receive and infiltrate 4800 gallons a minute. Mr. Germain said the project was fabulous – being good for the town and those visiting it. Mr. Moore asked where the boundary of the proposed concrete pool deck is. He reviewed another page of the plans and said it was sufficient for his answer. Mr. Germain made a motion to close the hearing, seconded by Mr. Hall, approved unanimously 5-0-0. Mr. Germain made a motion to approve the negative determination and update the order of conditions, seconded by Mr. Hall, approved unanimously 5-0-0.

### **0 Federal Road**

**ANRAD SE126-654**

Andrew Gorman and Sarah Sterns of Beals and Thomas, to determine 5 resource areas on a 50-acre property. Members of the Commission attended a site visit the prior day. Mr. Moore said the areas were “fairly obvious” with standing water and the grasses changed to “marsh-type” grass. There was also a man-made stream. Mr. Moore said these were well marked wetlands and didn’t see any reason to question what was done. Mr. Germain added that it was impressive to delineate all the areas – Andrew said the bylaws implied they had to be separated and Mr. Germain appreciated the level of detail. Mr. Hall was in agreement with the statements made by Mr. Moore. Mr. Germain made a motion to close the hearing, seconded by Mr. Hall, approved unanimously 5-0-0. Mr. Germain made a motion to accept the ANRAD, seconded by Mr. Badger, approved unanimously 5-0-0.

### **96 Purchase Street**

**Amend ANRAD SE126-638**

Andrew Gorman and Sarah Sterns of Beals and Thomas, they are looking at the GIS exhibit from September 2022. There are three agricultural canals (upland) and the bogs (wetlands) that were delineated. They are adjacent to the five upland bogs already determined, with a man-made canal. There is a stream that flows right down the middle of the three bogs. Mr. Moore said they were determining the canals are upland and the bogs are wetlands. There is photographic history that showed the contour of the water. Mr. Germain made a motion to close the hearing, seconded by Mr. Badger, approved unanimously 5-0-0. Motion to approve the amended ANRAD made by Mr. Germain, seconded by Mr. Hall, approved unanimously 5-0-0.

### **5 Stanley Lane**

**NOI SE126-655**

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 7:00 p.m. on Wednesday, November 16, 2022 in Meeting Room #1 at the Carver Town Hall to hear the Notice of Intent submitted by the C.E. Development LLC for the grading associated with a proposed residential 20’ x 40’ in ground swimming pool within the 100 ft. Buffer Zone to a Bordering Vegetated Wetland. This project is located at 5 Stanley Lane, Carver, MA; Map 36, Lot 2-24. All interested parties are invited to attend.

Outback Engineering on behalf of the property owner. They want to put a 20’ x 40’ in ground swimming pool. None of the work is within the 65-foot zone. There will be a silt fence along the property of the

wetlands. They were in previously with an RDA that had been denied. The plans have since been updated. The grading was updated (making the slope steeper and the ground flatter). Mr. Moore noted another hearing on Stanley Lane – regarding the slope of the property. If the property owner wanted a flat area around the pool, they should put in a rock retaining wall and leave the contour of the forest. Mr. Germain asked how the slope would hold where it was. The plan was loam and seed, and erosion control fabric as well. Mr. Moore thought leaving the buffer between the 65 and 100 (stopping everything at the 100-foot buffer). Mr. Badger noted the comparison to other lots were “moot”. Part of the proposal is taking out trees that are actually holding the slope in. Mr. Germain said he had no problem approving the pool at the 100-foot cut off. Mr. Moore noted if this was for something that was necessary it would be a different discussion. Mr. Hall agreed that the pool could be added without affecting the slope. The Commission was in agreement that no hardship existed. Mr. Moore wanted the developer to understand that they would not be giving approvals any further than the original plans. They agreed that the slope would have to stay as it is, with an erosion control put in place, and the pool would stop before the 100-foot zone. If everything stays outside the 100-foot zone then they don’t need to return to Conservation. They continued the hearing to December 7, 2022. Mr. Germain made a motion to continue, seconded by Mr. Badger, approved unanimously, 5-0-0.

## **MINUTES**

To be read and approved – October 19 and November 2, 2022.

Mr. Germain made a motion to approve October 19, 2022 minutes, seconded by Mr. Badger, approved 4-0-1.

Motion to approve minutes of November 2, with the amendment of removing Mr. Germain’s attendance, made by Mr. Badger, seconded by Mr. Hall. Approved 3-0-2.

Gary noted DEP sent a superseding order of conditions to Ricket’s Pond. The proposed project will comply with the storm water management system. They “upheld” the order of conditions.

Mr. Moore also asked that the members make comments about the Warrant. All comments should be sent to Mr. Moore individually and he will collect all the notes.

Motion to adjourn made by Mr. Germain, seconded by Mr. Badger, approved unanimously 5-0-0.

Minutes submitted by Ashley Swartz.