

Plympton Conservation Commission
Minutes of Open Meeting – January 21, 2020

Present: Board Members, Rick Burnet, Linda Leddy and Mike Matern; and Conservation Agent, Brian Vasa

Not Present: Amy Cronin, Marta Nover

Mr. Burnet called the meeting to order at 6:35

1. Correspondence.

- ☐ Brian received an email from Mr. Penney regarding 19 Main Street that Bertrand Drilling will be drilling on 1/21 or 1/22
- ☐ The PB sent a plan of 399 Main Street, dated 11/12/19, asking for any comments before their continued PB hearing on 2/10/20. As the applicant is in the process of changing the wetland lines and stormwater report, the commission will wait to comment.
- ☐ Kathy received a phone call from Dan Gazzola. His son lives at 129 County Road and he is called regarding a conservation complaint. He says that they are filling in wetlands on 108 County Road. He has called DEP and wants Rick to go out to the property. His phone number is 774-360-5451, and he would like a response from the commission on this matter.

Old Business

2. Building Permits Received.

41 Ring Road, pool and barn construction. Owners Christina and Andrew Bulman submitted a permit to build a barn and pool. At the 1/7/20 meeting, there were questions if the barn could be built. Per the wetlands bylaw regulations, Article II, §12 Vernal pools, functionally, the barn must be 200' away from the actual pool (100' boundary with 100' distance). A new plan was drawn up on 1/13/20 and submitted to the commission which moved the barn to 200' from the vernal pool. Rick Burnet signed off the new plan.

3. POSTPONED: 0 Lake Street NOI Hearing Continuation – Lake Street Solar, Map 3, Parcel/Lot # 2-8, 2-13. A public hearing was continued to consider a Notice of Intent, under the Wetlands Protection Act, M.G.L. c 131 §40 from Plympton Lake Street Solar, LLC. The NOI is a proposal to construct a ground-mounted solar array on agricultural land. At the request of the applicant, the hearing was continued until February 4th.

4. 0 Ring Road NOI Hearing – Map 8, Block 1, Lot 1 and Map 8, Block 1, Lot 27 - East - Dunham. 126 Ring Road. A public hearing was conducted to consider a Notice of Intent, under the Wetlands Protection Act, M.G.L. c 131 §40 from BE RE, LLC. The NOI is a proposal to construct a Dual-Use Cranberry/Solar Project on active cranberry bogs under DOER's SMART program. A check was submitted for the remaining fees of \$5,700. Abutter receipts

and green cards were also submitted. David Kelly from Meridian Associates, Ian Ward: Bog Consultant, and Mark Manganello from LEC Environmental on behalf of the owners Wayne and Ann Dunham.

David Kelly made the opening presentation. He stated that the project will be dual-use solar, on land in both Plympton and Kingston. The array will include 3300 panels which will be on the Plympton side. The panels will be raised 10-14' off the ground. They will be single-tracker panels designed to pivot to maximize the sun. The panels all move together, like a daisy chain. There will be battery storage pads and inverters on the Plympton side. The site will have locked gates prohibiting public access.

Ian Ward, the bog consultant stated that by DEP regulations, there can be no more than 50% shade per sq foot by design. Also the site will need to stay farmed for 20 years to remain in compliance. By law, the panels need to be 10' above the ground for single-access tracker; 8' for fixed panels. There will be 21' between rows' posts; 16' of sunlight between rows. The site must be viable to be farmed commercially by DEP. Wet harvesting is planned.

The Massachusetts Department of Agricultural Resources has oversight of the project. There will be lots of eyes making sure it produces a crop. The site is in Chapter 61 in Plympton.

The power lines will be above the ground to a point, then they will meet and go underground to avoid agricultural complications. There will be some damage to vines even with mats. Plan is to sand bogs to reinvigorate vines.

In Kingston, the applicants have already met with the Planning Board, and they are meeting with the Conservation Commission tonight. In Plympton, they will be meeting with the Planning Board next week. Kingston has not made any changes to the Riverfront Area, which is where it meets on the south section of the bogs. In the NOI, it is stated that the only disturbance is the posts.

Linda quoted DEP, stating that there is concern for stormwater runoff and flow, and that it may be important to have a water-quality expert come in. The applicants stated that there will not be any chemicals used to clean the panels, as they could affect the crops and water-quality.

Brian Madden emailed the stormwater reports earlier today. Brian Vasa forwarded to the Conservation Commission during the meeting. DEP had an incorrect email for the Commission, so the reports were not received with enough time for the Commission to review.

Ian Ward mentioned Carver's mistake which was that the installer used mats and were careful, but the electrician did not and the ground was extremely disturbed. He said the mistake would not be repeated.

There will be no tree cutting for the project. The mitigation for the pads will be offset by the accumulated impact.

Brian Madden joined at the end to say they successfully closed with the Kingston Conservation Commission.

Dawn Hastings-Ely - 108 Ring Road – Dawn stated that she was concerned about the sound.

The applicants said there will be a slight low-humming. There will not be a generator, just batteries. The applicant also stated that there will not be any disruption to ground-water flow, since they will just be putting screws in the ground to hold panels. Dawn also was concerned that the panels may heat up bog. Ian Ward said that the shade will actually keep the vines from getting scalded.

The applicant stated that the site is mapped in as a priority habitat for the box turtle. There will not be 'take' if the management plan is created before construction. Box turtles don't like being on the bogs but rather on uplands. If the project is constructed under DEP guidelines, then wildlife will be protected.

Sharon Housley – 86 Ring Road – Sharon asked if there will be a generator. The applicant responded that there will only be batteries and an inverter, converting DC to AC. There will not be a generator.

Jack O'Leary – 71 Ring Road – Jack asked if the panels will be made of silicone or thin film, as he was concerned about damaged panels leaching into ground-water. Most of the neighbors are on well water.

Applicant agrees to continue the hearing to February 18 at 7:00pm

5. 0 Ring Road NOI Hearing – Map 8, Block 2, Lot 29 - West - Correira. 131 & 137 Ring Road. A public hearing was conducted to consider a Notice of Intent, under the Wetlands Protection Act, M.G.L. c 131 §40 from BE RE, LLC. The NOI is a proposal to construct a Dual-Use Cranberry/Solar Project on active cranberry bogs under DOER's SMART program. A check was submitted for the remaining fees of \$8,600. Abutter receipts and green cards were also submitted. David Kelly from Meridian Associates, Ian Ward: Bog Consultant, and Mark Manganello from LEC Environmental on behalf of the owners Wayne and Ann Dunham.

The solar array will be spread over 52 acres, 41 will be in Plympton. There will be 6300 panels in total, 5300 in Plympton. It will be constructed with a vegetated berm along the road. There will be 4 batteries, 1 inverter near the road, and 1 additional battery near the south central area of the bog. Panels will be in 6 of the 7 bogs. They plan to remove some dike roads, making harvesting easier and to mitigate for the battery storage areas. There is BVW along southern line of the site. There will not be any tree-cutting.

The Commission agreed that a site walk is not necessary.

The applicant stated that if the owners cease harvesting, then the project will have to be removed. MDAR will be monitoring harvesting. If they do not harvest then they will be violating the Wetland Protection Act.

Dawn Hastings-Ely - 108 Ring Road – Dawn again expressed concern about the noise.

Chris Houseley - 83 Ring Road – Chris was interested in satisfying his curiosities about some general questions after meeting.

Rick Burnet stated that the farmers will be looking closely to see if there is any leaching, as it would affect their crops. If there are no crops, then they cannot have the solar.

Applicant agrees to continue to February 18 at 7:05

10. Remaining Considerations (Parking Lot issues). The following are items on which the Commission still needs to act on or consider.

No response received from Richard Johnson of Prospect Road regarding erosion materials appearing in town brook. Follow up needed.

Letter Regarding Work Near Wetlands - Property on Rt. 58 near town line.

There has been no response to the letter written from the Conservation Commission to Amanda Monti reminding her that any work within 100' of the bordering vegetated wetlands (BVW) or 200' of a river must be first approved by the Commission. It was noted that clearing had been done, and the Commission requested a site walk to review the work. Ami Dion will send another letter.

Carey Auto Property. The Commission sent the Building Department a request on June 21, 2018 to determine if sandblasting is occurring, and if so, if it is permitted. Sandblasting is a concern from a wetlands perspective as well. No response yet. A second email was sent from Amy Cronin on 9/17/19.

Gazzola County Road DEP Case. Brian Vasa will ask Dan Gilmore from DEP for an update.

Minutes. The Commission agreed to delay approving the minutes from 1/7 until the next meeting...

Next Meetings: The next meetings will be held February 4th and February 18th at 6:30 pm. Meetings are typically held on the 1st and 3rd Tuesdays of the month.

The meeting was adjourned at 8:30 pm by a motion from Mr. Matern and seconded by Ms. Leddy, with unanimous approval.

Respectfully recorded and submitted by Brian Vasa