

Plympton Conservation Commission
Minutes of Open Meeting – March 5, 2019

Present: Board Members, Amy Cronin, Rick Burnet, Linda Leddy and Mike Matern

Not Present: Ami Dion and Marta Nover

Mr. Burnet called the meeting to order at 6:45.

1. Correspondence. None.

2. Building Permits Received. Three applications were received and each was missing information; 2 of the 3 don't have wetlands delineations, and one hadn't gotten a building permit yet. Chair, Rick Burnet will talk to Kathy in the Building Department to get additional information from the applicants before the Conservation Commission considers.

Old Business

3. 138 Center Street Notice of Intent (NOI). Amanda Monti and Alan Diaz submitted an NOI to propose a project revision for a single-family home to resolve the outstanding appeals before the MA Department of Environmental Protection (DEP). Three checks were provided to the Town of Plympton for \$100, \$84 and \$262.50. The applicants sought to have the issue considered at a Conservation Commission meeting in April (since they weren't available in March), and requested to be notified at merritt.amanda@rocketmail.com.

4. Hearing -- ANRAD Hearing Continuation, 0 Lake Street, Map 3, Parcels and Lots 2-13 and 2-8. The Abbreviated Notice of Resource Area Delineation (ANRAD) is to delineate the bordering vegetated wetlands (BVW) for a future proposed solar project. The applicant is Sunraise Development LLC for owner Harju Brothers Cranberries, Inc. Bill Madden of GAF Engineering and Patrick Jackson attended to represent the applicant. They discussed the project through maps of the project noting the wetlands; they will be working with the Heritage Foundation. No work will be done on the Kingston side. Art Allen served as the third-party expert on this project and that report needs to be reviewed. The hearing will be continued.

5. Hearing -- NOI Hearing continuation for property at 61 Upland Road, Map 13, Parcel 2, Lot 29D. The applicant is Borrego Solar, represented by Evan Watson of Prime Engineering and Zack Farkes of Borrego Solar. Third-party expert, John Chessia attended to provide the Conservation Commission with additional information. Art Allen, 3rd party reviewer had previously approved the wetlands flags. It was expressed that the oversight is very important to the Conservation Commission. It was suggested that we get the Stormwater Pollution Prevention Plan (SWIP) and approve it prior to the work starting. A landscaping bond was also discussed in the event of a large storm or event causing damage to the required landscaping. The representatives agreed that this could be done. There were questions relative to run-off and stormwater pollution prevention plan. John Chessia noted that there would be order of conditions that need to be maintained that includes but is not limited to a pre-construction meeting. The finances will be reviewed. The

Commission voted unanimously to accept the project as drawn with the latest revisions.

New Business

6. Regulations Review. Stephanie Danielson did a draft of the Regulations for the Conservation Commission for the Board review. She met with the Conservation Commission to go over all the comments.

One of the benefits of Regulations is that fees can be assessed, which is consistent with other towns. It was questioned if penalties can be levied. Conservation Commission penalties can only be levied if the General Bylaws, in the enforcement section, allows for non-criminal penalties. It was suggested that the Conservation Commission should be added to the list as being able to assess the fine on a non-criminal basis for violations. Amy Cronin sent a request to the Bylaw Review Committee to consider including in the Bylaws for this Town Meeting.

7. Warrants. A warrant was signed to pay bills that include Ecotec for Upland Road for \$3965.80.

West Light Development requested a return of \$589.20 left over from their ANRAD at 165 Palmer Road where they originally paid \$1610.

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

Letter Regarding Work Near Wetlands - Property on Rt. 58 near town line. There has been no response to the letter was 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.

Carey Auto Property. The Commission sent the Building Department a request 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.

0 Lake Street Solar ANRAD. Marta will get estimates for a 3rd party review.

Conservation Agent and Administrative Positions. Linda and Marti will be working on these job descriptions and budgeting.

15 Winnetuxet. Ami will set up a site-walkthrough within the next month.

12 Prospect. Brandon Faneuf, Wetlands Soil Scientist of Ecosystem Solutions, Inc. representing Kim and Keith Wallace appeared before the Commission to discuss his report. As background, there was activity observed on the property that was possibly in the wetlands. A barn was put up without a permit, and from the Wallace's old plans, it appeared a fence was constructed in the wetlands. The Commission required an updated wetlands delineation be done, and to have the Commission come out and view the property; it was likely that the fence would need to be moved.

Mr. Faneuf confirmed that portions of the fence were previously in the wetlands. He also noted that the cordwood and brush piles were 125' from the wetlands. There were questions about the perennial stream, which would require 200' for other structures, but a fence couldn't impede wildlife movement. It was noted that the Wallace's have two free range horses. It appears that the property wouldn't fall within the agricultural exemptions. There were concerns about the horses impacting the wetlands water quality. The Commission voted to require the fence to be moved at least 75' from the bordering vegetated wetlands (BVW) boundary. It was requested that a letter be sent to the Commission from Mr. Faneuf confirming the understanding, containing with the Wallace's signatures indicating their agreement. Mr. Faneuf agreed to inform the Wallace's that they have a perennial stream on their property and that will also be in the letter. There is a possibility that Mr. Faneuf may submit an ANRAD during the Spring or Summer in an attempt to declassify the perennial stream.

15 Winnetuxet Questions. New owner, Jean Conley came to ask the Commission questions regarding any wetlands on her property. A site walkthrough will be performed within the next month.

Part-Time Requests for Administrative Assistance and a Conservation Agent. There was discussion of getting administrative assistance. A job description was written. Linda Leddy had an initial meeting with Selectman John Traynor and Town Administrator Liz Dennehy to alert them that there will be budget ramifications. A formal proposal will be submitted.

Method to track project funding.

Minutes. No minutes were approved.

Next Meetings: The next meetings will be held on Tuesday, March 19th and April 2nd and 16th at 6:30 pm. The meetings are typically held on the 1st and 3rd Tuesdays of month.

The meeting was adjourned at 10:10 pm by a motion from Mr. Matern and seconded by Ms. Leddy, with unanimous approval.

Respectfully recorded and submitted by Amy Cronin