

Plympton Conservation Commission
Minutes of Open Meeting – April 23, 2019

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

Not Present: Ami Dion

Mr. Burnet called the meeting to order at 6:30.

1. Correspondence. Old Colony Planning Council minutes.

2. Building Permits Received.

176 Main Street Equipment Shed. A shed is proposed to be built to support the cranberry operation. The work was not within the jurisdiction of the Conservation Commission so the permit was approved.

200 Center Street Equipment Shed. A shed is proposed to be built to support the agricultural operation. The work was not within the jurisdiction of the Conservation Commission so the permit was approved.

3 Samantha Lane Residential Ground Mount Solar Panels. It was determined that an RDA (Request for Determination) needs to be done because it is in an area within the jurisdiction of the Commission.

Old Business

ANRAD Hearing continuation for property at 0 Lake Street, Map 3, Parcels and Lots 2-13 and 2-8, Applicant: Sunraise Development LLC – 6:45

Order of conditions Borrego Solar Systems, Inc. for property at 61 Upland Road, Map 13, Parcel 2, Lot 29D

3. ANRAD Hearing continuation for property at 0 Lake Street, Map 3, Parcels and Lots 2-13 and 2-8, Applicant: Sunraise Development LLC. The Abbreviated Notice of Resource Area Delineation (ANRAD) is to delineate the bordering vegetated wetlands (BVW) for a future proposed solar project. Sunraise Development LLC for owner Harju Brothers Cranberries, Inc. Pat Jackson of Sunraise and Bill Madden of GAF Engineering represented the applicant. Per the Commission's peer reviewer, Art Allen, revisions were made to the boundary and are correctly shown on the ANRAD plan. The B and D series flag isolated on sheet 2 and 3 of the packet indicates bylaw vernal pools. The plan of record should reflect FEMA mapping/BLSF (Bordering Land Subject to Flooding) and the two potentially certifiable vernal pools; it should also be noted in the ORAD (Order of Resource Area Delineation). The BLSF should be noted on the plan that it is not confirmed via the ORAD and show the FEMA boundary shown on the FIRM maps. The hearing will remain open until the plans are revised when the hearing is continued, to be heard April 23, 2019.

4. 138 Center Street Notice of Intent (NOI). Adam Browski, Attorney spoke on behalf of the applicant; Steve Katowski of Webby Engineering presented the plans. Also present was Amanda Monti and Alan Diaz. When the prior hearing was completed, the Chair made note

of Mr. Diaz who had set up a tripod and camera during the hearing. The Chair cited the rules, and Attorney Browski cited the rules. A request was then made by Mr. Diaz to film the meeting and the Chair granted the request and made the audience aware of the filming per the rules of the *Open Meeting Law Guide*.

A revised NOI was submitted proposing a project revision for a single-family home to resolve the outstanding appeals before the MA Department of Environmental Protection (DEP). The notifications to abutters appeared in order from the applicant.

Mr. Katowski noted the driveway is in the buffer zone. There were questions about if the wet area on the site was a perennial or intermittent stream; the applicants said no. The applicants noted part of the trench is within the 25' no-touch zone, and comes as close as 18' requiring a waiver.

The reasons for the Commission's previous denial was due to the lack of information since the Commission wasn't allowed back on the site to gather additional information. The Commission questioned the wetlands line B series because outside that boundary, the water was right at the surface, not just the isolated wetland. An isolated wetland is not within the DEPs jurisdiction and likely not discussed at the on-site.

The applicants agreed to stake out the proposed location of the water lines, 250' trench, house and septic system. The Commission would like to do a site survey. Clarification is needed on the back stream.

The Commission will be notified by Steve Katowski when the staking is complete so a walk-through can be done. The hearing will be held during the next meeting, on April 23rd.

5. Order of conditions for Borrego Solar Systems, Inc. for property at 61 Upland Road, Map 13, Parcel 2, Lot 29D. The OOC was completed and special conditions are noted in the Order of Conditions.

6. Wetlands Regulations. There was a vote with unanimous support to accept the final draft of the Regs.

New Business

NOI Hearing 7:00 138 Center St Brookside Realty LLC, Amanda Monti

NOI ANRAD Hearing 0 Main St 7:05 Harju prime engineering

R.D.A. Skyline Solar LLC

Review new Building Permit Applications Address new/old concerns

7. ANRAD Application for Solar Facility on 0 Main Street, Map 21-4-7. The Abbreviated Notice of Resource Area Delineation (ANRAD) is to delineate the bordering vegetated wetlands (BVW) for a future proposed solar project along Route 58 where there are currently bogs. Evan Watson of Prime Engineering submitted the paperwork on behalf of owner Harju Brothers Cranberries, Inc.

8. Warrants. Warrants were signed for the following expenses: \$300 for Stephanie Danielson for drafting the Wetlands Regs; \$750 for the annual membership to the Compact of Cape Cod; and reimbursement to Linda Leddy for \$100 for wetlands continuing education classes.

9. Recruiting for Part-time Agent. Linda will put out an ad in the paper to recruit for a part-time Conservation Commission agent.

10. 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. The minutes from the March 5, 2019 meeting were approved with amendments.

Next Meetings: The next meetings will be held on Tuesday, April 23rd (modified to accommodate other Town meetings) May 7th, May 21st at 6:30 pm. The meetings are typically held on the 1st and 3rd Tuesdays of month.

The meeting was adjourned at 9:00 pm by a motion from Ms. Leddy and seconded by Ms. Nover, with unanimous approval.

Respectfully recorded and submitted by Amy Cronin