

Plympton Conservation Commission
Minutes of Open Meeting – October 8, 2019

Present: Board Members, Rick Burnet, Amy Cronin, Ami Dion, Linda Leddy, Mike Matern, Marta Nover; and Conservation Agent Brian Vasa

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

1. Correspondence. None

2. Building Permits Received.

29 Spring Street. Applicant Daniel Flaherty seeks to build a 16x22 home addition. The Commission determined that it is not within the jurisdiction of the Commission (determined to be non-jurisdictional) and was signed off.

76 Parsonage Road. Applicant Evan Selleck seeks to build a 10 x 26 barn. The Commission determined that it is not within the jurisdiction of the Commission (determined to be non-jurisdictional) and was signed off.

67 Pleasant Street. Applicant William Manganello seeks to build a 40x60 barn. Although there is a vernal pool on the property, the project is at least 200' from the vernal pool as required in the Wetlands Regulations. The Commission determined that it is not within the jurisdiction of the Commission (determined to be non-jurisdictional) and was signed off.

337 Main Street. Applicant Roger Randolph seeks to 40x40 addition to the body shop on the property. More information is need on the flood plain and location of the riverfront marked on a plan.

3. ConCom Procedures. The new Conservation Agent, Brian Vasa worked with Ami to set up an e-mail to receive e-mails and to store information. The address is plymptonconcom@gmail.com. A google drive has also been set up to store files.

Old Business

4. 0 Main Street Solar Project - NOI Hearing continuation. Evan Watson from Prime Engineering appeared to represent owner Larry Harju of Harju Brother Cranberries. The Abbreviated Notice of Resource Area Determination (ANRAD) was submitted previously and an Order of Resource Area Delineation (ORAD) was issued in response to the ANRAD. A site walk was completed by the Commissioners. Updates to the plans were made.

The limit of work was moved to be further from the BVW and 200' from any vernal pool. Screening was discussed with the Planning Board. A third-party review will be completed by John Chessia for the stormwater and review the submission overall. It was noted that there is no PLS (professional land surveyor) stamp on the plans. Concerns were expressed that there was another suspected vernal pool noted on the walk-through; it was noted that under the Wetlands Protection Act, the ORAD doesn't cover vernal; pools, so the Commission can look at that potential vernal pool. Art Allen will be used as the third-party reviewer for that vernal pool. Evan Watson wished to be on record that he believes its inappropriate to look at other

potential vernal pools once the ANRAD and ORAD has been approved; he believes it's a second bite at the apple. There was discussion that this area wasn't part of the plan originally; it was perhaps missed in the original submission. The Planning Board hearing is October 28th, so the hearing will be continued to November 5, 2019 at 7 pm.

5. NOI Hearing 0 and 37 Lake Street Floating Solar, Map 3, Parcel/Lot # 2-8, 2-13. At the request of the applicant, the hearing was continued to October 22, 2019 since the third-party review was not completed.

6. 0 Maple Street House Construction – NOI Hearing. The Notice of Intent (NOI) hearing was opened to consider a Notice of Intent, under the Wetlands Protection Act, M.G.L. c 131 §40 and the Town of Plympton Wetland Protection Act General Municipal Bylaw Section XXVIII. Representatives Nathaniel Stevens of McGregor & Legere Attorneys at Law and Dan Orwig appeared on behalf of owner Greg Black. Commissioner Mike Matern recused himself.

It was stated by Mr. Stevens that it was the same project on the 6.9 acres with less impact on the wetlands. Mr. Stevens read a letter from the owner, Greg Black providing background of the land and his contributions to the town. He noted that the town assesses the land as "buildable land".

Mr. Orwig noted that the owner proposes to gift 3.34 acres of land to Plympton so as to prohibit an future modification to the area; they would create an eastern box turtle habitat in the easement area; and there would be a bridge made of pre-cast concrete and granite blocks covered with crushed stone on the property that meets DEP requirements for a stream, even though the representatives contend it is only an "intermittent stream". It was noted that it will be a standard septic system. Mr. Orwig said that there is 40% upland. A waiver was requested for the 50' no-touch zone. It was noted that the grade was raised; there were questions about a mounded system and if a house was allowed to be on a raised lot to meet the perc requirements; the house elevation must be the same as the surrounding land. There were questions about how the land was perc'd since you'd have to bring the equipment over the wetlands; it is required in the Board of Health regulations that the Conservation Commission must be notified before the perc is done. It was also questioned again by abutters if the septic system is mounded. It was noted that the house right beside the land has a mounded system. The representatives didn't have answers.

There were discussions that if the land was not donated, there would be conservation deed restrictions. It was noted that some of the replication plant varieties are not native to wetlands. The grading for the replication area will need to be discussed. The seed mix for the 50' would need to be New England wetlands varieties. The biomap for endangered species lists this area as "priority"; it was questioned if Natural Heritage needs to review the new plans; the applicants said they would check. Ongoing maintenance is also a concern. It was stated by the representatives that there were no vernal pools on the property. A site walkthrough should be completed after the flagging is confirmed; they will also confirm the name of the Wetlands Scientist.

Two abutters asked various questions on the land and plans. It was noted that a waiver can

only be granted if its of interest to the public. The attorney noted that the donated land would be the public interest. It was noted that there couldn't be access to the public since its wetlands. There were assertions that there were vernal pools.

The walkthrough will be Monday, October 21st at 8 am. The hearing will be continued until November 5 at 7:05 pm.

New Business

7. 0 Prospect Road Solar Application. Brendon Realy of Atlantic Design Engineers submitted an application on behalf of Clean Energy Collective for owner Richard Johnson. The system will be a dual use solar ground mounted system. The project will be on bogs and will occupy 11.5 acres with 7800 solar panels on a parcel of 41.2 acres. The last date of crop will need to be provided, as well as fees for the project.

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

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 e-mail was sent to the Building Department from Amy Cronin on 9/17/19.

Gazzola County Road DEP Case. Brian Vasa will check with DEP for an update.

Corner of West and Elm Street. A fence was constructed likely through the wetlands near the river and a letter was sent to them to cease and desist before it was finished. Another letter was sent and the owners (Gray and Mazilli) called the Chair. Brian will do a walkthrough after the Chair talks to the owners.

Minutes. The minutes from the September 17th meeting were reviewed as written.

Next Meetings: The next meetings will be held October 22nd and November 5th and 19th at 6:30 pm. The October meetings were shifted to ensure a quorum. However, the meetings are typically held on the 1st and 3rd Tuesdays of month.

The meeting was adjourned at 8:50 pm by a motion from Ms. Dion and seconded by Ms. Nover with unanimous approval.

Respectfully recorded and submitted by Amy Cronin