

Plympton Conservation Commission
Minutes of Open Meeting – April 7, 2020

Held over Zoom Conference Call:

zoom.us/j/8802901353

By Telephone: +1 646 558 8656

Meeting ID: 880 290 1353

Password: 948488

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

Mr. Burnet called the meeting to order at 6:34 pm. He read the statement by the Chair to conduct a meeting virtually prepared by KP Law.

1. Correspondence.

☐ None

Discussion

2. NOI Submission for Habitat Restoration at 61 Upland Road. Brandon Smith from Borrego Solar Systems, Inc. appeared with Zak Farkes and Steve Riberdy. Mr. Smith submitted a waiver for the 21-day limit for a hearing.

Mr. Smith stated that the project will be 100% habitat creation and preservation of a significant amount of forest. There will be some disturbance during restoration, but the benefit would be outweighing. He said that the benefit will be to the box turtle.

There will be no structures or impervious surface.

The commission agreed that the \$900 filing fee is sufficient.

Linda Leddy asked about the conservation restriction. They are waiting for confirmation if the town will take the parcel. They have been in contact with Liz Dennehy, but not within the last 3 months.

NOI was considered complete and the hearing will be opened on 4/21/20 at 7:10pm

3. Building Permits Received. None

4. Warrants. None

Hearings

5. NOI Hearing Continuation for 0 Main Street Solar Project. Evan Watson of Prime Engineering appeared on behalf of Harju Brothers Cranberries to provide a project update. Greg Sampson, their representative, and Patrick Jackson, the applicant were also present. The applicant paid the remaining filing fees of \$24,723 prior to the meeting.

Since the previous conservation commission meeting, the planning board approved the site plan.

Evan Watson stated that since the least hearing, a road was added circumferencing the north array on the advice of the Fire Department. As a result, some of the array was lost. Otherwise, everything else is the same as last discussed.

Evan also mentioned that, although it is not a conservation issue, screening issues were addressed. Native plants will be planted at the bog. A wooden fence will be erected around the bog. A black fence with black slats will be erected in the woods screening the neighbors from the north array.

Marta Nover asked to discuss the planting schedule. After viewing the plant list, Ms. Nover asked to add a special condition that only native plants are used for planting, no cultivars.

Greg Sampson discussed the current procedures of submitting the Order of Conditions to the Registry. He said that wet signatures still need to be sent to the applicant. From there, the applicant will be able to send the registry an electronic filing.

The special conditions were reviewed by all in attendance. Some conditions were removed that did not specifically apply to the project.

Marta Nover proposed to close the hearing. Amy Cronin so moved.

Rick Burnet made a motion to accept the project at 0 Main Street as drawn with the latest revisions on March 5, 2020 and the 33 special conditions.

Linda Leddy seconded the motion.

Voted on by all present: Four voted in favor. One opposed. The project was approved.

Patrick Jackson stated that construction is likely to start in late winter/early spring 2021.

Mr. Jackson also asked about an update on the Lake Street conservation restriction. Linda said that she will follow up with Liz Dennehy about that and the Upland Road CR.

6. NOI Hearing Continuation for 399 Main Street Solar Project. Dean Smith of Borrego Solar was present. Owner Katherine Figueroa was also on the call but did not participate.

Dean provided an update on Gary James stormwater review. He stated that revisions were made to the calculations and plans. Gary also commented on some technical issues with stormwater modeling that are being addressed by Borrego.

Dean also discussed changes in response to Gary James' review. The solar array has been moved closer into the northwest area with Katherine Figueroa's permission. Tree clearing has been reduced to 0.72 acres and may be even less now.

Currently 6.1 acres of the solar array are planned for inside the fence. Originally that

number was 7.03 acres.

Dean talked about the stormwater pipe connecting to the middle of the ring. Art Allen flagged the area in the middle as a wetland. Dean said he wants to find the original plans for horse barn approval to show if the pipe is part of the stormwater approval.

Dean stated that Borrego is staying out of the 50' buffer. He wanted to know how to calculate the fee impacts, since tree clearing has a much bigger impact than simply erecting solar panels. He also wanted to know if the commission would charge a fee for putting up a fence in the 50-100'. The commission determined that there is no distinction between areas of disturbance, and it will be charged on a square-footage basis. Dean will calculate his interpretation of the fees and get back to the commission.

Landscape buffer: evergreen trees

Dean said that he will be in contact with Gary James and what is left is determining curve runoff and technical calculations..

The hearing was continued to 4/21/20. It was added to the agenda with the agreement that if no other hearings are canceled, it may need to be continued to the following meeting.

7. Continued - NOI Hearing Continuation for 0 Ring Road (126 Ring Road, Kingston) Dual-Use Solar project. At the request of the applicant, the hearing was continued to 4/21/20.

8. Continued - NOI Hearing Continuation for 0 Ring Road (131 & 137 Ring Road, Kingston) Dual-Use Solar project. At the request of the applicant, the hearing was continued to 4/21/20.

Other Business

9. 138 Center Street. A previously approved project, the owner wants to expand the driveway footprint and increase the house size. Brad Holmes from Environmental Consulting & Restoration, LLC wants to know how the commission wants to handle it. He is preparing to submit a Request for Amended Order of Conditions. Marta said applicants will usually submit a letter asking if changes warrant an amended order or new NOI. The commission determined that this plan should be recorded, so an amended order should be filed. Also, the commission does not have to amend the order, and it is not appealable. The project is now well within the 50' no disturb buffer in the new regulations. It was discussed whether the commission would be able to apply the new regulations to an amended order. The discussion will be added to the 4/21/20 agenda.

10. 0 Palmer Road. Linda wants 0 Palmer to stake the wetlands line and see if new soil is within the wetlands. Marta agrees with that. She said that the cease and desist was great, but now they need to prove what was done and address that. The survey must be done by a PLS. Brian will craft an enforcement letter to point out these issues.

11. 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 that 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. There has been some fill on the land, but there's no determination of if it's within 100' of a wetland. Rick seems to believe there aren't any wetlands nearby. Rick will take a site walk first.

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.

12. Minutes. The minutes from the 03/10/20 meeting were reviewed and approved.

Next Meetings: The next meetings will be held on April 21st and May 5th at 6:30 pm. Meetings are typically held on the 1st and 3rd Tuesdays of the month.

The meeting was adjourned at 8:52 pm by a motion from Ms. Leddy and seconded by Ms.Cronin, with unanimous approval.

Respectfully recorded and submitted by Brian Vasa