

**Plympton Conservation Commission**  
**Minutes of Open Meeting – July 23, 2019**

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

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

**1. Correspondence.** None discussed.

**New Business**

**2. Building Permits Received.**

**164 Brook Street Porch construction.** Applicant Dan McCormick submitted an application to build a porch. The Commission determined that it is not within the jurisdiction of the Commission (determined to be non-jurisdictional).

**Heather's Path Single Family Home Construction.** The plans have two different crossings (one of which is a wetlands crossing). The address is both Montello and Heather's Path. A Request for Determination of Applicability (RDA) is needed.

**3. 17 Old Farm Road.** There appears to be major alterations on the corner of Mayflower and Old Farm Road. A cease and desist will be sent to the owner Dana Galgana. As background, a letter was sent to him in April 2016 regarding a barn being built, but there was never follow-through.

**Old Business**

**4. 138 Center Street Order of Conditions Review.** Corry Merritt and Amanda Monti asked about the fence on the side of the parcel. The Commission agreed that the split rail fence was not needed there, but there is a required fence at the back. Although the Commission required management oversight, the Commission wouldn't charge a management fee unless there appear to be violations as the project progresses.

The silt sock will need to be inspected after installation; Ms. Monti will call Mr. Burnet after installation. A no-mow zone will be marked every 16' with a sign saying "no mow zone". A reminder was given of the new earth removal bylaw, and the Commission was assured that no removal would take place.

**5. 165 Palmer Road Notice of Intent (NOI).** Kevin Grady from Grady Consulting and Alexandria Artiano of West Light were in attendance. There was an NOI for a project on two lots with two new homes. The Commission signed an order of conditions for each of the two lots, noting that the proposed building was outside the wetlands area.

**6. 0 and 37 Lake Street, Solar Project Notice of Intent (NOI) Hearing, Map 3, Parcel/Lot # 2-8, 2-23.** Representatives of the project in attendance were Patrick Jackson of Sunraise Development, Sarah Stearns of Beals & Thomas Engineering and Larry Harju of Harju Brothers Cranberries, Inc. It is proposed to construct a ground mounted and floating solar array on agricultural land.

The hearing was called to order at 7:06. The notice was in the Plympton Halifax Kingston Express on July 19<sup>th</sup>, and was read aloud.

The reservoir was put in place to support the cranberry bogs. On July 2<sup>nd</sup>, the NOI was submitted. The property is 110 acres, and they are proposing approximately 20 acres of work. Conventional ground mount array in the southern and northern areas (approximately 11 acres total). On a portion of the agricultural reservoir, the floating array is proposed to be constructed (approximately 9 acres). The conventional solar for this project will produce just under 3.5 megawatts total and floating is about the same. The floating solar is more tightly spaced so it produces the same power with a smaller acreage.

The reservoir is 23 acres with 9 acres used for the floating arrays. The floating arrays are very new to MA (two very small systems in Carver), and are also new for the Department of Environmental Protection (DEP); there are these types of systems elsewhere in the US and Europe. A Commissioner suggested doing a walk-through of the Carver facilities. For the floating array, concrete blocks with cables will anchor the array. It is prefabricated linked together on-site. The arrays sit on the surface and rise and fall with the water level. There were questions about oxygenation (aeration) of the reservoir so it doesn't become putrefied; they will ask the Commission to consider this. There's also a small amount of wetland impact so the developers thought this might be part of the mitigation.

The manufacturer of the floating system is from France. It was asked to provide information on the manufacturers about issues with the water underneath (growing algae, wetlands plants growing over the panels, etc.)

Natural Heritage has determined the entire area is a habitat for the Eastern Box Turtle. They are working with Natural Heritage. Part of the southern area, approximately 18 acres will be preserved and protected.

According to Mr. Harju, due to the trends in the cranberry business, solar is an option for the property. The primary access currently is on West Street and that will remain the primary access.

The interconnection lines will be underground (18-36" deep) until they get to West Street when it comes above ground onto poles, as required by the utility. A question was asked by a Commissioner regarding the width of the clearing to install the trench; they will provide this information, along with if clearing will be done.

It was noted that there are wetlands near, and the developers confirmed they are adhering to the setbacks. Using the reservoir could be impactful to water birds (nesting, reflection, etc.) and blocked sunlight; a Commissioner asked if a wildlife biologist should be consulted for a wildlife impact study. It was confirmed there are no hazards with the panels leaking chemicals. The arrays are approximately 12" above the water; they lie on plastic floats.

There will be trees cut for the traditional solar arrays and they will be removed via West

Street. The water under the floating system will still be used for the cranberries.

Mr. Harju said he bought the land to stop a subdivision originally. Solar construction on the land is an alternative to selling the land for a subdivision. There are 13.5 working acres of bogs, including what's in Kingston; it's estimated there are about 10 of those in Plympton. Approximately 13 abutters were in attendance; the abutters within 300' were notified (as required by the Planning Board). The developer will be sending a pamphlet to the abutters to discuss concerns and walk the property. There were many questions from abutters.

Questions were asked about setbacks from the underground trench; the developers said that information will be provided. There were concerns raised about septic systems; it was noted by a Commissioner that the Health Department would be getting involved. Questions were asked about distances from property lines and vernal pools. There is no riverfront on this property. There was discussion about grading necessary. It was questioned where does Barrows Brook change to Jones River Brook; the two come together by Rogers' bogs and doesn't affect the project (the water will be considered regardless). It was noted that the river is coincident with the southern property line (common with older properties) and therefore doesn't stand out on the plans.

The Commissioners noted that the wildlife habitat impacts and performance standards of the Wetlands Act and Wetlands Bylaw will need to be done and then a peer-review on those items will be done. The primary concern is the reservoir and operation and maintenance of both systems. A supplemental package will be submitted.

It was noted that the Commission has new Regulations adopted today, and the applicant came in before the Regs were adopted; it is hoped that they will abide by them voluntarily. A site visit will be scheduled once the area is generally staked for reference.

The hearing will be continued to August 20<sup>th</sup> at 7 pm.

**7. 54 Prospect Street Septic Repair.** It was questioned if the septic work was within the jurisdiction of the Commission. The site plan will need to be reviewed, and they will be asked to bring in a large plan to determine the next steps. They will need to submit a Request for Determination (RDA) to the Commission (fee is \$100 for a single-family dwelling §8A of the Regs). Ami Dion will notify the engineer.

**8. 0 Main Street Solar Project, Map 21-4-7 ANRAD.** The Commission will need to complete the ORAD for this project. Marta has the file for this project and will make a quick draft.

**9. Interviews for Conservation Agent.** The interviews will be August 6 at 5 pm for 3 candidates; a second interview will be a public meeting at a later date.

**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.

**(possibly resolved) 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.

**Minutes.** The minutes from the following minutes were reviewed and approved with amendments: February 5, June 4, July 2 and July 8, 2019.

**Next Meetings:** The next meetings will be held Wednesday July 24<sup>th</sup> to review solar bylaws (special meeting), August 6<sup>th</sup> and August 20<sup>th</sup> at 6:30 pm. The meetings are typically held on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of month.

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

Respectfully recorded and submitted by Amy Cronin