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SAVE THE PINE BARRENS, INC.

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Southeastern Massachusetts' grassroots campaign to protect water and forests continues to target sand mining and utility-scale solar projects

Two new lawsuits filed:

- **First suit claims Earth Removal Committee granted illegal permit to SLT Construction to expand Spring Street sand mining site; building inspector refuses to enforce zoning laws**
- **Second suit claims Carver Conservation Commission violated wetlands laws allowing PineGate Renewables use of arsenic-wood poles for solar project in cranberry bog**

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Carver, Massachusetts – An industrial sand mining operation on Route 44 and the PineGate Renewables “dual use” solar project’s use of arsenic-cancer causing wood poles in cranberry bogs both violate the law, according to two new lawsuits filed against the Town of Carver’s Earth Removal Committee and Conservation Commission.

The new regional grassroots campaign to bring accountability to the sand mining industry in Southeastern Massachusetts and reckless solar development that destroys forests and farmland continues. The campaign, [Save the Pine Barrens](#), is demanding accountability for damage to groundwater, wetlands, forests, wildlife, and Indigenous cultures caused by strip mining operations and industrial solar development in the region. In early 2021, local residents and conservation groups launched a campaign to expose the damage to the environment being caused by sand mining being done under the ruse of “agricultural operations” by large cranberry operators, including the Franklin Marsh operation on the Plymouth Carver border and the AD Makepeace projects using “solar farms” to cover up earth removal. Since then, the campaign has expanded with significant victories in the region.

On January 14, 2022, Carver residents filed two more lawsuits on the issues of sand mining and industrial solar development. First, local residents sued the Carver Earth Removal Committee (ERC) and SLT Construction to nullify the ERC’s November 17, 2021 permit allowing SLT to expand its massive \$6 million mining operation around the north side of Rickard’s Pond. The ERC issued the first permit in 2018. That permit is the subject of an enforcement request claiming it violates the Town’s Zoning Law.



SLT Construction mining site, Spring Street, Carver MA December 5, 2021

The January 14, 2022 lawsuit alleges the ERC did not follow the Earth Removal Bylaw: including failing to notify abutters, not requiring a bond or proper plans, and allowing expansion of a project that is already threatening public health via airborne silica sand, damaging the environment, and threatening water contamination. Private wells and a public water supply are nearby. One of the plaintiffs in the case, homeowner Dorothy Pollitt said, “It is a disgrace that SLT has been given free rein -- issued permit after permit without regard to public or conservation concerns -- to destroy, level, and strip mine 25 acres of pristine forest, wildlife, and the ecosystem of Rickard’s Pond.”

On January 14, 2022, a lawsuit was also filed against Pine Gate Renewables and the Carver Conservation Commission over one of the dual-use solar projects using arsenic-treated timber poles to mount solar panels in cranberry bogs. Thousands of poles have been driven into groundwater and wetland cranberry bogs. PineGate received Conservation Commission approval for steel poles in 2019. Behind closed doors, without a new permit application or public hearing as required by law, the Conservation Commission allowed PineGate to switch to arsenic-treated timber poles and now to concrete poles. The poles are treated with Copper Chromated Arsenic (CCA), a toxic pesticide. CCA leaches from wood. The poles are in soils saturated with water and about 20 feet into the ground - where groundwater can be 5 feet below the bog’s surface.

There are other toxic pole solar sites in Carver, including the AD Makepeace Company and Renewable Energy Development Partners (REDP) \$2 million plan to install one mile of arsenic poles in cranberry bogs for a “solar canopy” over a stream (4.0 megawatts), and Bay State Agricultural’s project installed on a cranberry bog in Rochester, MA

“There is no way to stop arsenic leaching from the wood poles. We are creating Superfund sites on cranberry bogs and poisoning our drinking water supply. The poles must be removed, and the land restored. Solar belongs on parking lots, rooftops, and buildings, not on our farmland and especially not mounted on arsenic poles.” said Meg Sheehan of the Pull the Poles Campaign. “Southeastern Massachusetts is the sacrifice zone for the Baker Administration’s misguided renewable energy “[SMART solar program](#). The arsenic pole projects are \$55 million worth of infrastructure -- all subsidized by ratepayers and taxpayers. Our money is going to poison our water, soil and food while claiming we are saving the planet from climate change. It makes no sense. The public has been duped and these companies hid material information from local officials,” said Sheehan.

Find out more: www.savethepinebarrens.org



PineGate Renewables: arsenic polls in cranberry bog flooded with water October, 2021, Tremont Street, Carver MA



AD Makepeace/REDP: 0 Pond Street, Carver MA
One mile of “solar canopy” in the groundwater and stream

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