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## **APPENDIX 1**

### **Market Analysis**

**FXM Associates, Mattapoisett, MA**



## Technical Memorandum

### Market Overview Study for North Carver

**Prepared for:** Carver Redevelopment Authority  
**Prepared by:** FXM Associates  
**Date:** June 2016

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#### Introduction

At the request of the Carver Redevelopment Authority, FXM Associates has prepared a limited study of current market conditions and trends that could affect development within the North Carver area. The focus of the market assessment was specified by the Redevelopment Authority to be office and industrial/wholesale space potentially suitable for the North Carver urban renewal area.

FXM includes the following industries in the office-using sector: Information; Finance and Insurance; Real Estate and Rental and Leasing; Professional, Scientific, and Technical Services; Management of Companies and Enterprises; and Administrative and Support and Waste Management and Remediation.

Industrial/wholesale includes Manufacturing, Wholesale Trade, and Transportation and Warehousing.

To provide the broadest possible perspective on real estate market conditions and trends that could affect development potential within the North Carver area, and within the limited context of this assignment, FXM utilized two distinct but complimentary approaches. The first involves examination of regional employment trends in industries that generate demand for office and industrial/wholesale space. Plymouth County is defined as the employment region for the purposes of this analysis. The second approach more narrowly defines a real estate submarket encompassing Carver and surrounding towns and analyzes trends in the inventory, occupancy, prices, and net absorption of office and industrial/wholesale space within the defined submarket.

#### Commercial Space Demand

FXM has applied its *Commercial Space Demand Model* to estimate the square footage demand for commercial space based on data from the U.S. Department of Commerce Regional Economic Information System (REIS). These data are used to profile historic trends in employment in the focus industries at the county level, which FXM uses as the regional market for Carver. These employment trends are then projected using linear regression methods and converted to potential square

footage of space demand through 2020 based on square feet per employee norms for each industry.

Table 1 below shows projected change in employment and space demand in **office-using industries** in Plymouth County. The estimated 2015 population within Plymouth County is 506,000, projected to increase to about 520,000 by 2020. Plymouth County currently holds about 220,000 jobs in 24,000 businesses that generate about \$51 billion in sales annually. Carver is a relatively small part of Plymouth County overall, with about 12,000 persons in 2015 (2.4% of county-wide population) projected to increase to about 13,000 by 2020. The town currently holds about 3,200 jobs (1.4% of Plymouth County overall) in 400 businesses generating \$676 million in annual sales<sup>1</sup>. Selected office-using sectors are projected to grow between 2014 and 2020, as shown in Table 1, based on a simple linear extrapolation of historic trends.

Table 1

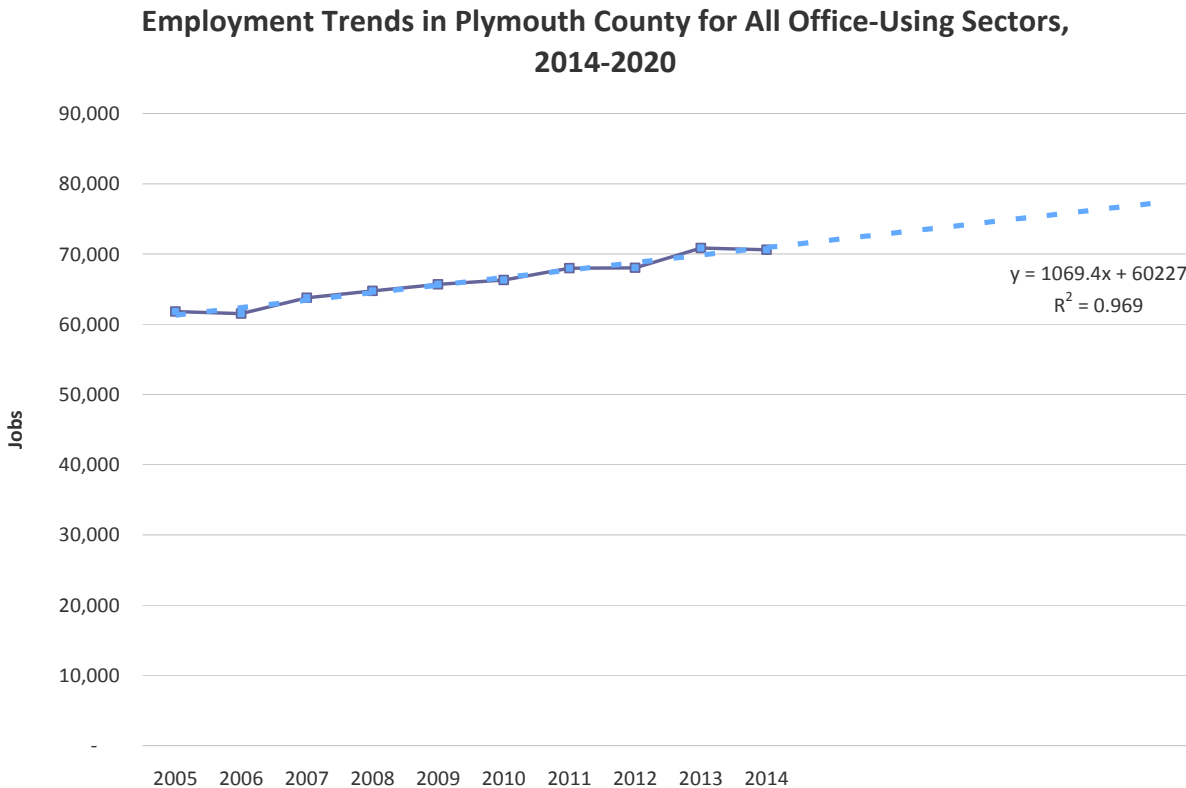
Projected Job Growth and Space Demand in Office Using Industries Plymouth County 2014-2020				
NAICS	Sectors	Projected Growth 2014-2020	Number of New Jobs 2014-2020	Potential Space Demand 2020
	<b>Office-Using Industries:</b>			
51	Information	5.9%	176	52,800
52	Finance and Insurance	27.2%	4,483	1,344,900
53	Real Estate and Rental and Leasing	14.2%	2,163	648,900
56	Administrative & support/waste management & remediation services	7.1%	898	269,400
54	Professional, scientific, and technical services	-0.4%	-87	(26,100)
55	Management of companies and enterprises	-25.3%	-900	(270,000)
<b>net gain totals</b>		<b>9.5%</b>	<b>6,733</b>	<b>2,019,900</b>

Sources: US Department of Commerce, Regional Economic Information System (REIS), and FXM Associates

Another way to view the data and analyses summarized in Table 1 is to display the 10-year trends graphically, along with projections to 2020 and estimation as to their reliability. Figure 1 below shows the trend line for all office-using sectors, along with a projected direction for future growth. Most striking is the steady upward growth of this composite sector, resulting in a high r-square value of .968, meaning that, based purely on past trends, one can be 97% confident that the growth will continue to 2020, adding nearly 7,000 new jobs in office space using businesses within Plymouth County overall. As shown by data in Table 1, however, the Finance and Insurance sector is expected to be the dominant demand driver. There are currently (2015 estimates) about 50 employees in this industry in Carver, less than 1.5% of town-wide employment. The Town would most likely have to make a major outreach effort to attract a business within the region to expand within Carver to realize enough of this potential growth to support new development in North Carver.

<sup>1</sup> Source of the population and business data is Nielson *Demographic and Business Facts*, 2015 data.

Figure 1



The picture for the **industrial/warehouse sectors** is quite different, in that there has been great variance in employment over the last ten years. Figure 2 displays this clearly. Because of this variability, trend projections into the future based on historic patterns of the last ten years are statistically unreliable. However, the graph in Figure 2 also shows that the industrial sectors have been experiencing strong evidence of recovery since 2010. It is still too soon to know whether this trend will continue, but Table 2, which follows Figure 2, presents the picture of growth in both office-using and industrial sectors between 2010 and 2014. For the office-using sectors, growth has been steady since 2005 and continued to be so after 2010, but for the industrial/warehouse sectors, 2010 marked the end of the sharp decline of the previous four years and the beginning of a period of growth, an increase of 10% over the 2010 to 2014 period<sup>2</sup>.

<sup>2</sup> 2014 is the latest year for which the REIS data used in this analysis are available. The US Department of Commerce Regional Economic Information System (REIS) data are preferred for longer term regional employment analyses over the Department of Labor's ES202 data series (although more current) since they include self-employed persons (about 30% of all jobs) which the ES202 data series does not.

Figure 2

**Employment Trends in Plymouth County for All  
Industrial/Warehouse Uses  
2005-2014**

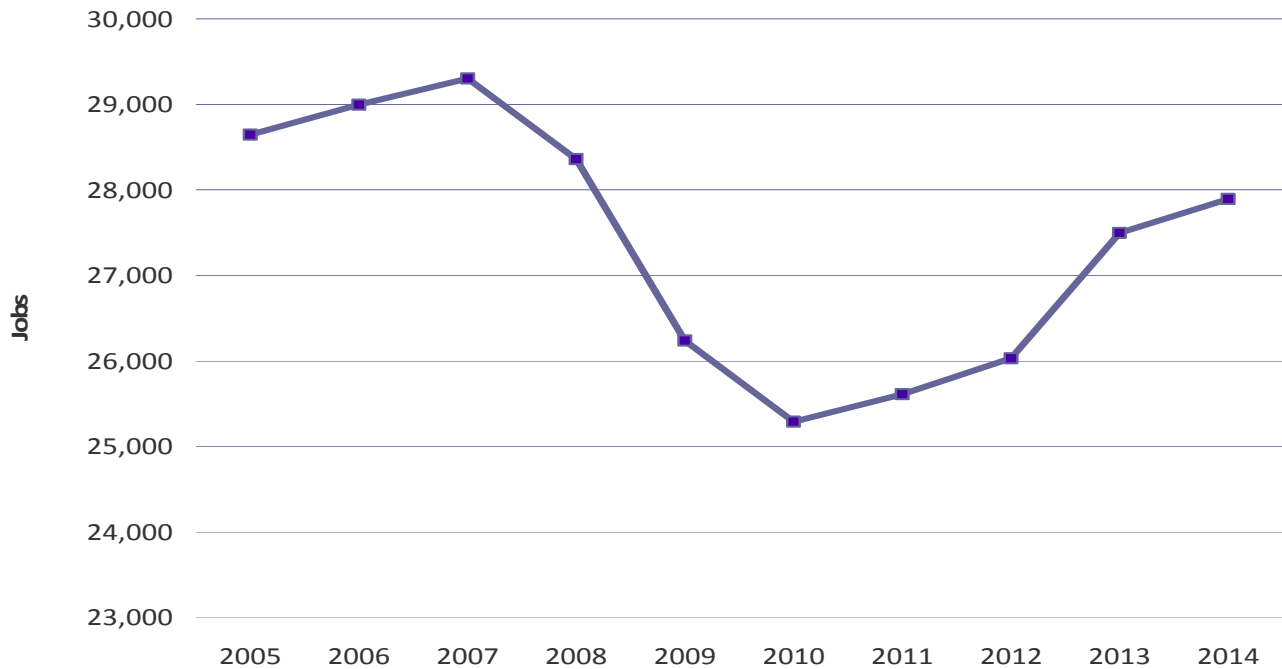


Table 3

**Changes in Employment in Plymouth County, 2010-2014**

NAICS		△ 2010- 2014	% Growth 2010-2014
31-33	Manufacturing	939	8%
42	Wholesale trade	760	9%
48-49	Transportation and warehousing	903	17%
	total industrial/warehouse	2,602	10%
51	Information	(114)	-4%
52	Finance and insurance	1,216	8%
53	Real estate and rental and leasing	1,809	13%
54	Professional, scientific, and technical services	1,350	7%
55	Management of companies and enterprises	172	5%
56	Administrative and support and waste management and remediation s	(103)	-1%
	total office-using	4,330	7%

Sources: US Department of Commerce, Regional Economic Information System (REIS), and FXM Associates

## **Trends in Office and Industrial Space in the Market Area**

FXM has analyzed historical trends in the total inventory, vacancies, net absorption and rents for office and industrial/warehouse space within the local market area. The local real estate market area is defined to include Carver and the surrounding towns of Kingston, Middleborough, Plymouth, Plympton, and Wareham. This submarket area contains about 130,000 people and 51,000 jobs – Carver holds about 10% of the submarket population and 5% of the jobs. Data for this analysis of supply trends is from Co Star *Property Information Systems*, the leading subscription data source used by real estate professionals. Forecasts of net absorption by Co Star and trend extrapolations of historical data by FXM are also reported in this section.

### **Office Space**

Data in Figure 3 show the inventory of office space within the submarket since 2007 as well as vacancy rates. The total inventory of office space has increased over the 10-year period by about 160,000 square feet, an average annual gain of 16,000 square feet. Vacancies have steadily decreased from a high of over 13% in 2010 to about 6% today (2<sup>nd</sup> quarter of 2016).

Data in Figure 4 show historical occupancy of office space in the submarket area as well as average lease rates per square foot. Occupied square feet of office space increase by 169,000 square feet (6.7%) since 2007, an average annual gain of nearly 17,000 square feet per year. While prices have increased by about 14% since their low point in 2010-11, to an average rate of \$18.36 gross per square foot per year in 2016, they are still about 8% below the 2007 average gross rent for office space in the submarket. Rents have declined slightly the past three years.

The picture that emerges from these trends is of a healthy office submarket that is continuing to grow in both new inventory and occupancy by modest amounts, though somewhat price sensitive to competition in surrounding areas. The trend projection in occupancy shown in Figure 5, based on the 2007 to 2016 historical data, is statistically significant and suggests an additional occupancy averaging nearly 30,000 square feet per year through 2021. Figure 6 shows Co Star's projected net absorption and vacancy rate for office space over the next 8 quarters. At 54,000 square feet per year projected absorption and a vacancy rate declining to about 3%, Co Star's projection is even more optimistic than the trend extrapolation. However, as will be discussed subsequently, growth in office space supply and occupancy within the Carver area submarket has been dominated by a single office space category which is medical office space.

Figure 3

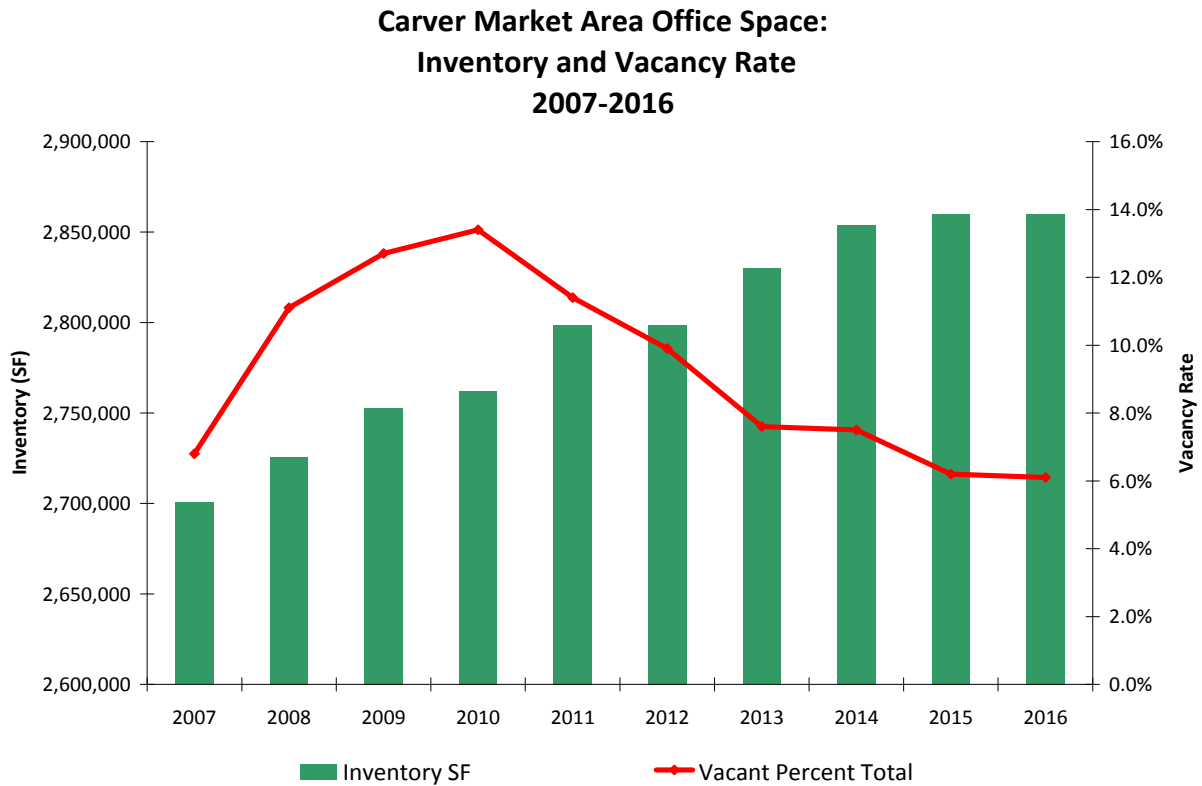


Figure 4

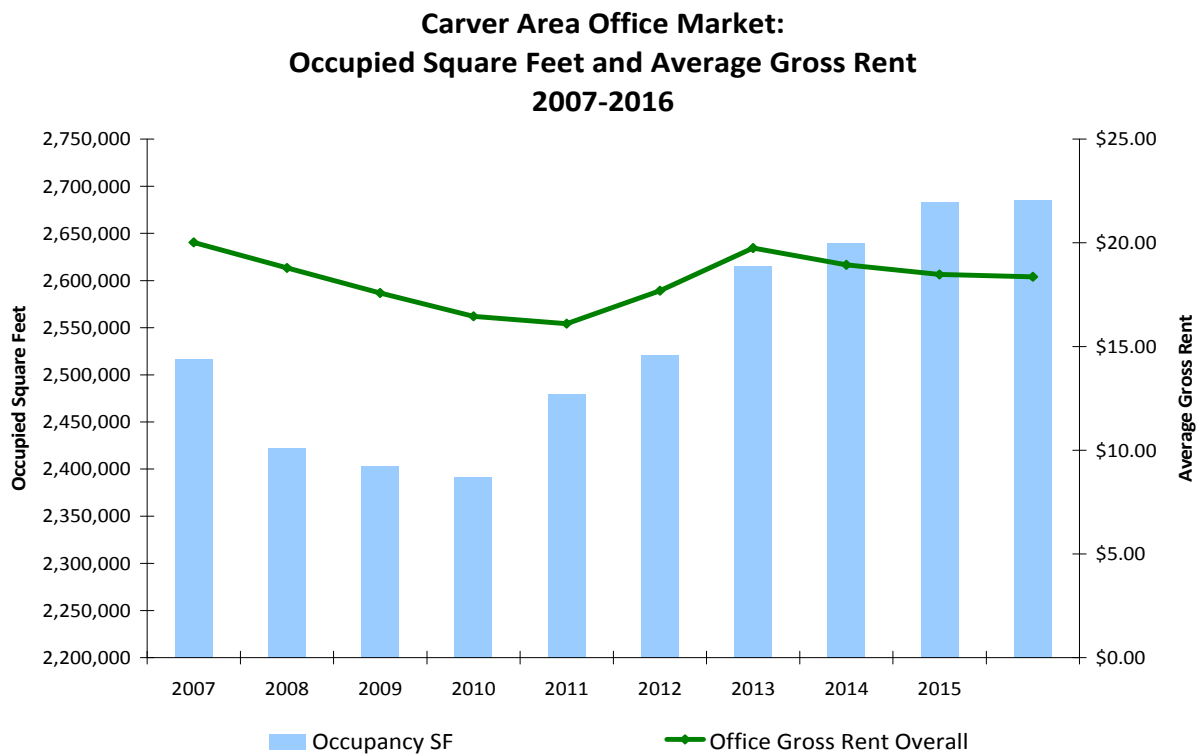


Figure 5

**Carver Market Area Office Space:  
Historical & Projected Occupancy  
2007-2021**

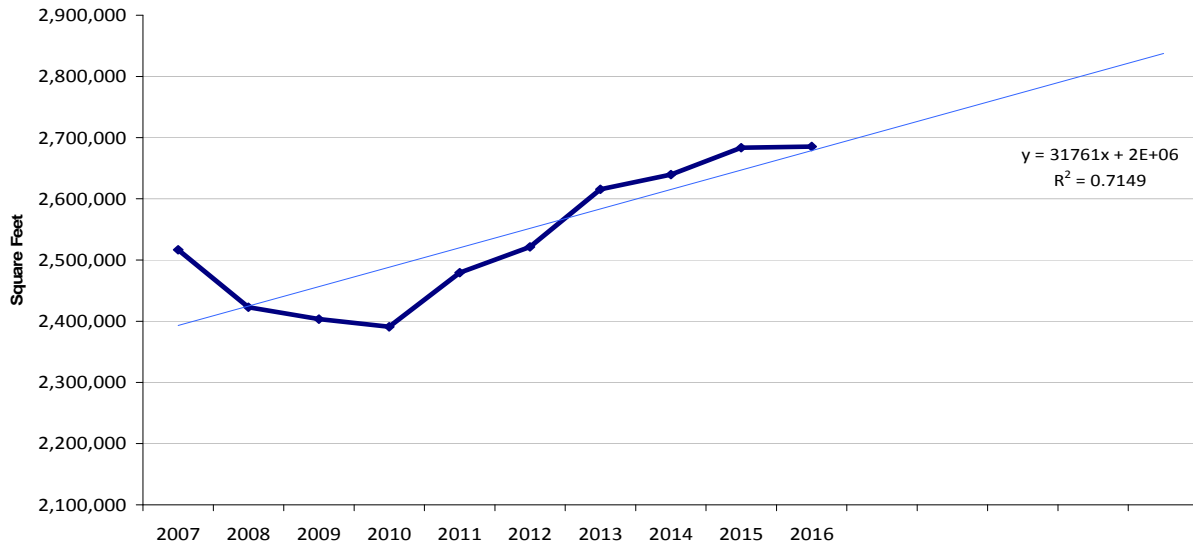
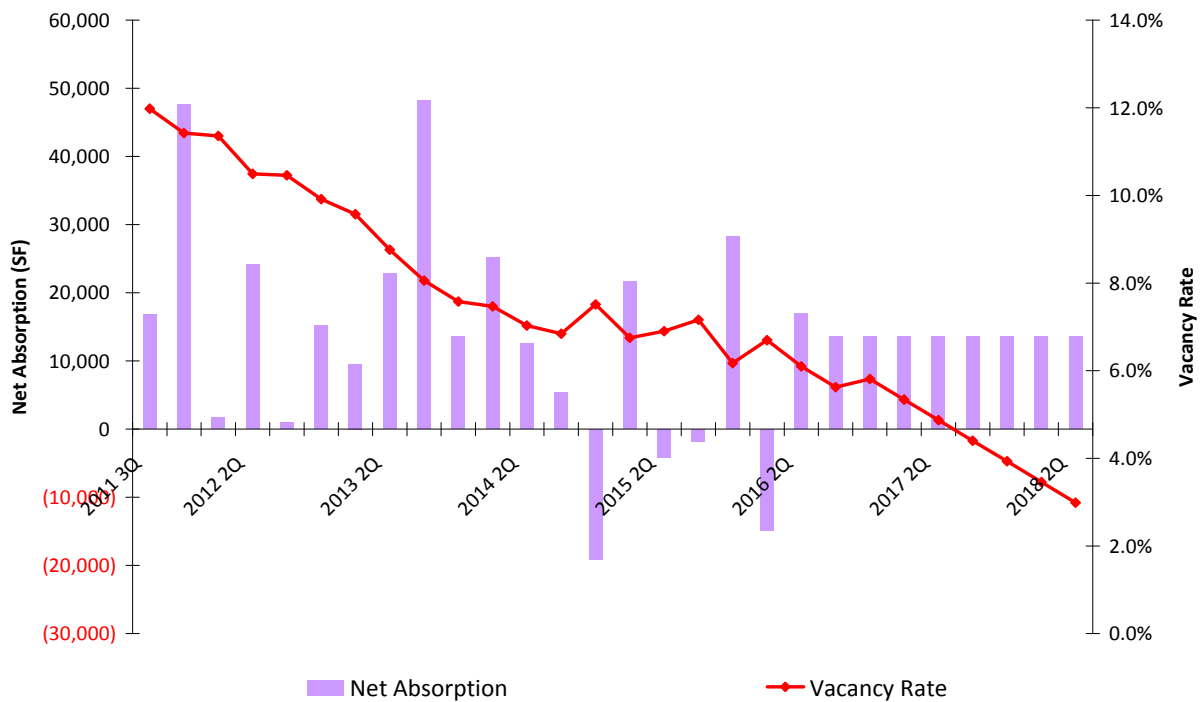


Figure 6

**Carver Market Area Office Space:  
Historical & Forecast Net Absorption & Vacancy Rate**



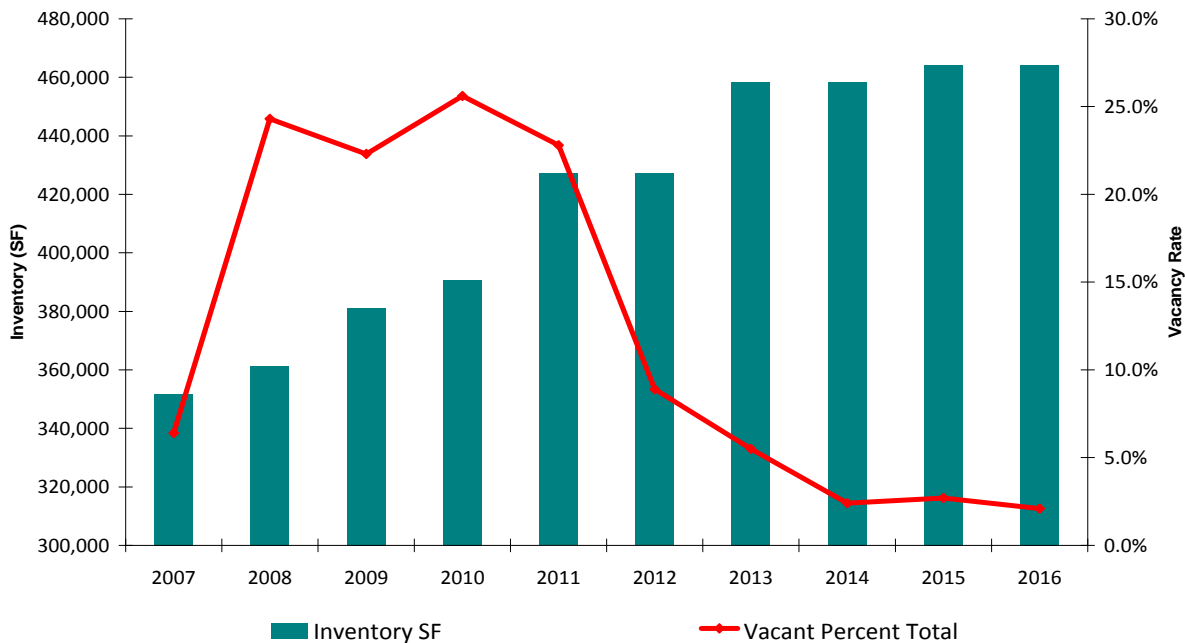
Source: Co Star Property Information Systems, June, 2016, and FXM Associates

FXM also examined a subcategory of the general office market, **medical** office space. As shown in the following Figures 7, 8, and 9, medical office space has accounted for a significant portion of growth in overall office space supply and demand within the Carver area submarket:

- The inventory of medical office space increased by 113,000 square feet (32%) between 2007 and 2016. The average annual increase of medical office space of 11,000 square feet per year accounts for 71% of the average annual increase in the inventory of all office space in the submarket. The vacancy rate has declined from a high of 25% in 2010 to less than 3% in the 2<sup>nd</sup> quarter of 2016.
- Occupancy of medical office space increased by 125,000 square feet between 2007 and 2016. The average annual gain of 12,500 square feet per year represents 74% of the average annual gain of all types of office space.
- Co Star's projected net absorption is for 35,000 square feet of office space over the next 4 quarters, which is 65% of the projected increase in all office space within the submarket over that period.

Figure 7

**Carver Market Area *Medical* Office Space:  
Inventory and Vacancy Rate  
2007-2016**



Source: Co Star Property Information Systems, June, 2016, and FXM Associates



Figure 8

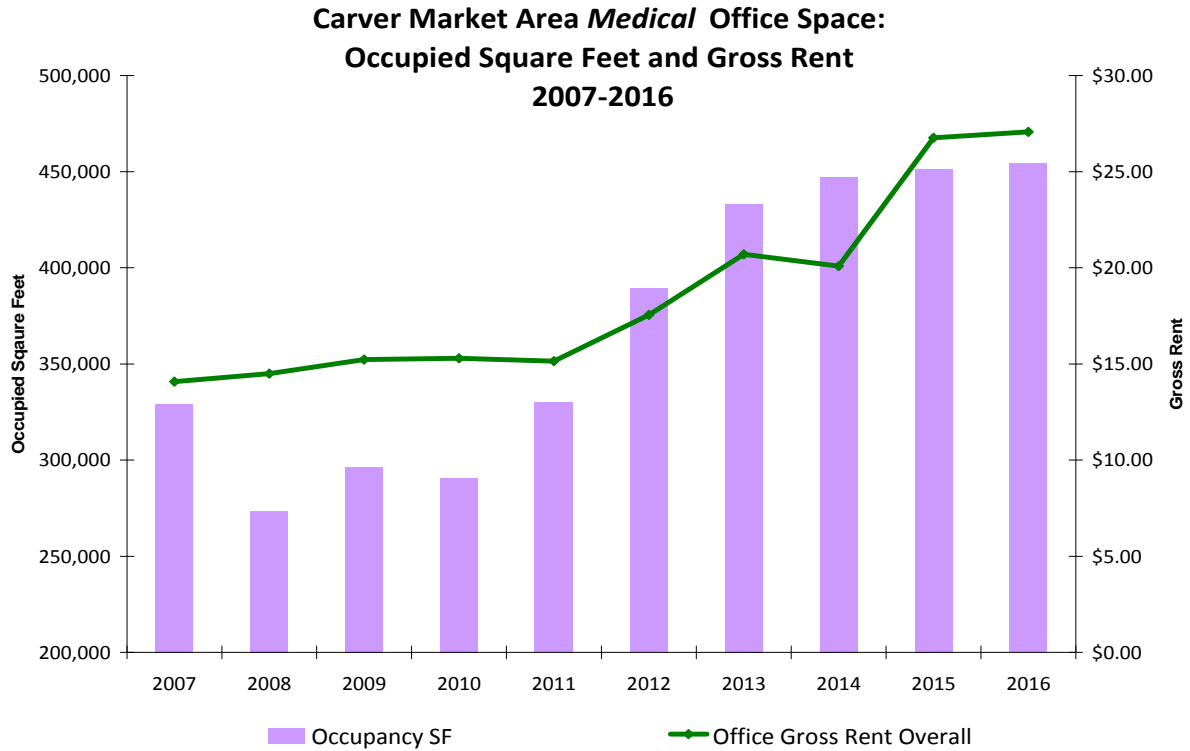
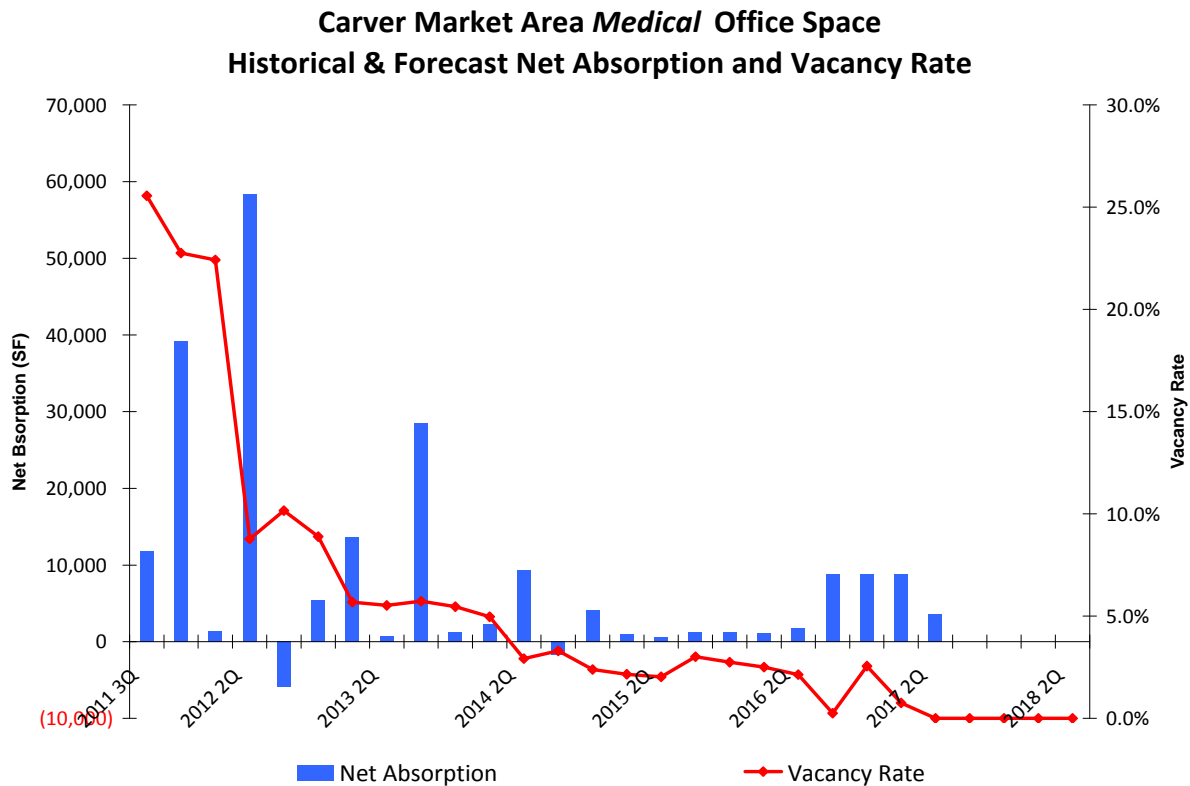


Figure 9



Also noteworthy in the analysis of trends in medical office space is the significant increases in average annual gross rents. As shown in Figure 8, since 2007 rents for medical office space have increased by \$13 per square foot per year, a 92% gain in average rents. At \$27 per square foot in the 2<sup>nd</sup> quarter of 2016, office space gross rents are 50% higher than the \$18 per square foot average for all office space. It is unclear why the Co Star forecast shown in Figure 9 projects vacancies declining to near zero but no net absorption projected by 2018 – there is no indication that growth in demand for medical services away from traditional hospitals has abated. It is also unclear whether Carver's location relative to the population served by medical offices would be seen as advantageous by prospective medical office space developers.

## **Industrial Space**

As defined by Co Star and others in the real estate community, "industrial" space includes warehouse, distribution, cold storage and manufacturing uses. The picture of industrial space in the Carver area submarket, not unlike the employment trends in manufacturing, wholesale trade, transportation and warehousing previously discussed, is a mixed one.

As shown by data in Figure 10, the inventory of industrial space decreased by 138,000 square feet between 2011 and 2012, a 3% loss. Since that time the inventory has gained back about 32,000 net new square feet of space and vacancies have declined from 9% to 3.5% today. More importantly, occupancy of industrial space has increased by 270,000 square feet since the low point in 2012, as shown in Figure 11. Rents have recovered slightly from their 2013 low point, but are still below their peak in 2008.

As shown by data in Figure 12, Co Star is projecting an average net absorption of 18,000 square feet of industrial space per year through the 2<sup>nd</sup> quarter of 2018 and declining vacancy rates.

Figure 10

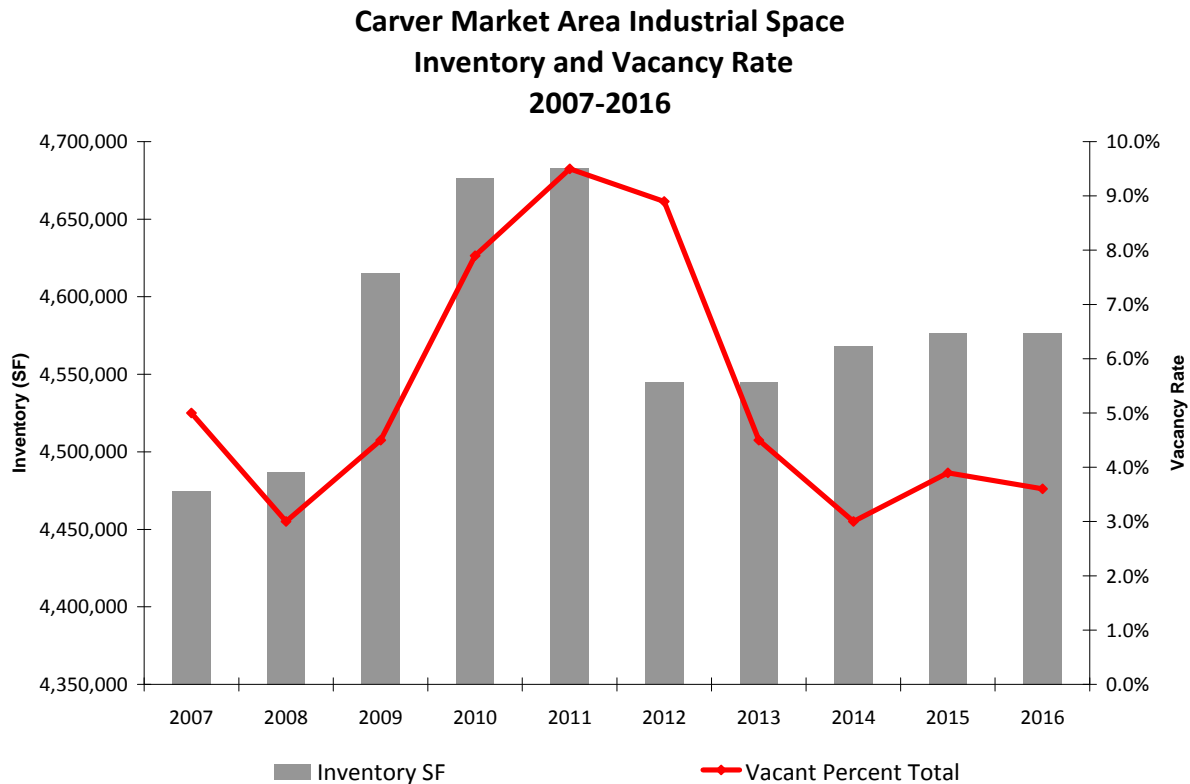
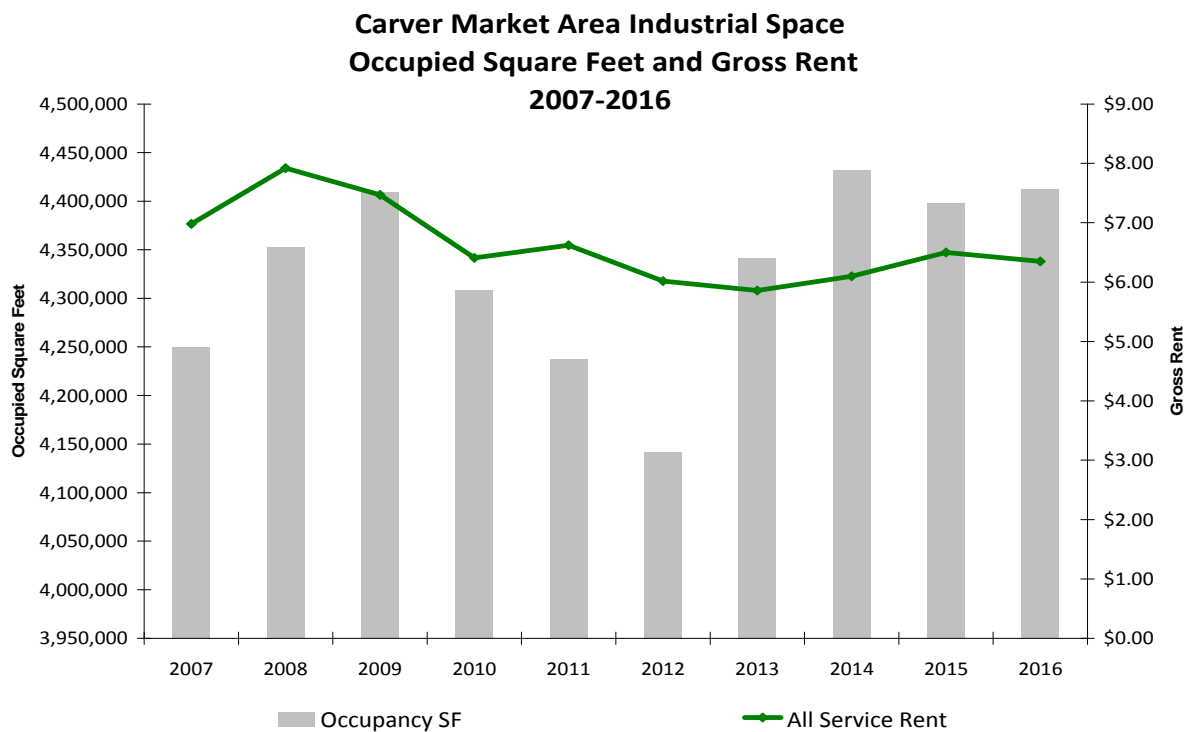
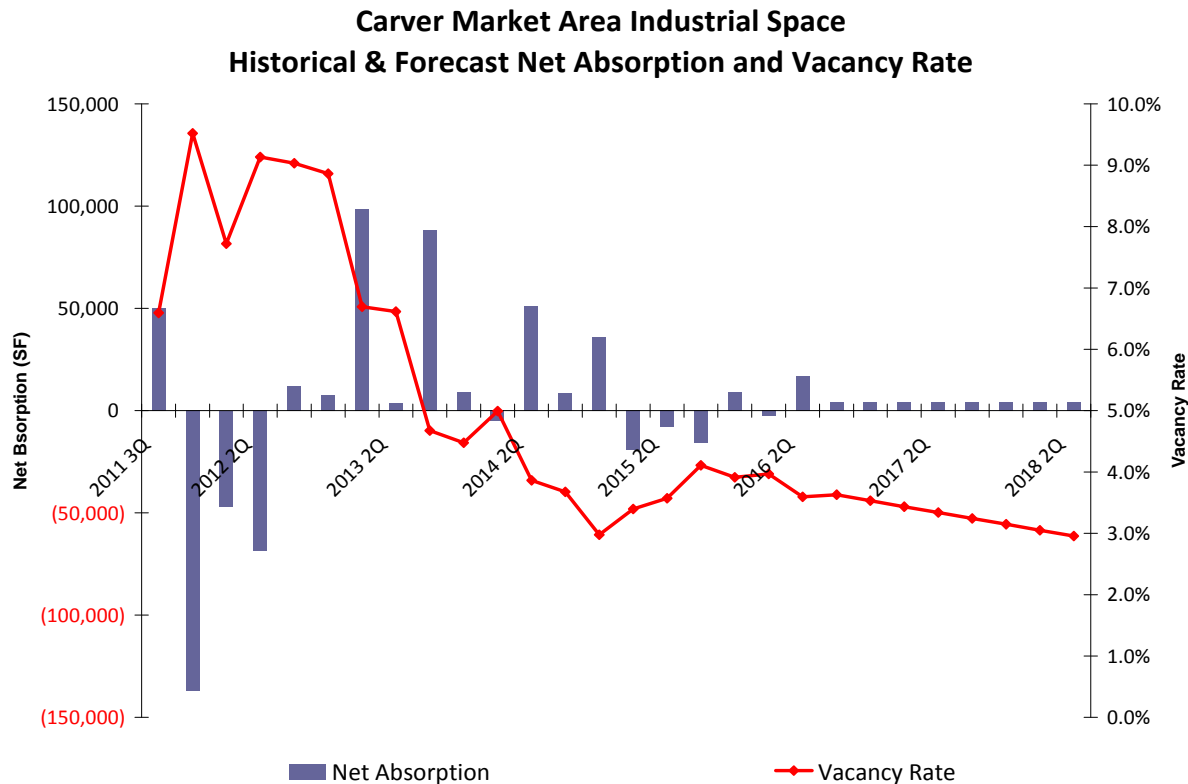


Figure 11



Source: Co Star Property Information Systems, June, 2016, and FXM Associates

Figure 12



Source: Co Star Property Information Systems, June, 2016, and FXM Associates

An issue for capturing potential demand is how Carver compares to surrounding towns with respect to commercial property taxation. Table 4 shows that Carver's combined commercial/industrial/personal property tax rate is considerably higher than that of surrounding communities, while the residential rate is comparable.

Table 4

**2016 Property Tax Rates for Carver and Surrounding Towns**

Town	Residential	CIP
<b>Carver</b>	<b>\$ 17.03</b>	<b>\$26.26</b>
Kingston	\$ 17.61	\$17.61
Middleborough	\$ 15.92	\$16.94
Plymouth	\$ 16.27	\$16.27
Plympton	\$ 17.66	\$17.66
Wareham	\$ 13.52	\$13.52

Source: Mass. Dept. Of Revenue, Division of Local Services

## **Summary Findings**

- FXM's analysis of market trends suggests growth in demand for office space within Plymouth County overall as well as the more narrowly defined Carver area submarket, comprising the communities of Carver, Kingston, Middleborough, Plymouth, Plympton, and Wareham. Medical office space has been the predominate source of growth in recent years within the local submarket, significantly surpassing other categories of office space users in increased inventory, occupancy, and average gross rents.
- The north Carver location is well-served by east-west highway accessibility, and has reasonably good connections north-south within the context of the defined submarket. It is not, however, as close to the population and employment center of Plymouth County overall and may lack the appeal of more urbanized areas for attracting many office space users. The potential for medical office space, a specific promising growth sector, requires a closer examination of the needs and preferences of these users than is possible in this analysis.
- The market for industrial/warehouse space has improved in recent years as evidenced by recent employment and inventory growth and declining vacancy rates. Price is an issue for potential development of new space and Carver's relatively high commercial tax rate is not favorable in this regard. However, ease of access to the regional highway system is a key location determinate for distribution and warehousing, as is a large parcel of land, both of which favor this type of development in North Carver.
- FXM's limited analysis has not attempted to compare all site features and other location attributes particular to the target area in North Carver with potentially competitive sites within the region and submarket and with the needs of specific types of users. Land prices, accessibility to population and labor markets for particular types of businesses, water and sewer availability and costs, broadband and other utility infrastructure and costs, relevant state programs and other sources of prospective development and business referrals, more detailed analysis of specific growing industries, local labor force skills and their match to prospective growth industries, and so forth are considerations beyond the scope of this study but will bear on prospective development in North Carver.

## **APPENDIX 2**

**Engineering Report With Cost Estimates  
Langdon Environmental LLC, Westborough, MA**

## Appendix 2

### Engineering Report – Project Budgets

### North Carver Urban Renewal Plan

#### Introduction

This Engineering Report has been prepared by Langdon Environmental LLC (Langdon) on behalf of the Carver Redevelopment Authority to summarize the basis for the site preparation and public improvement costs for the development of the proposed North Carver Urban Renewal Plan area (Site). These costs are summarized on project budgets presented on Table 8 of the URP and are divided into several categories – overall site preparation including environmental remediation and building demolition, extension of utilities (water, wastewater, electric and gas) to the Site, improvements to the existing roadway network, and associated professional services for engineering and permitting.

#### Clearance and Related Costs

This estimated \$200,000 allowance covers the demolition of five structures on the parcels (20-2-0-R, 22-3-0-R, 22-3-A-R, 22-11-0-R and 22-10-1-R) as shown on Map B included in the URP, and the concrete slabs located on parcel 20-2-1-R. As part of this allowance, Langdon has included costs related to the potential removal of hazardous materials such as oil tanks and asbestos prior to the demolition and off-site recycling and disposal of the construction and demolition waste.

In addition to the placement of additional fill, Langdon has included an allowance of \$5,000 for grading and filling on four parcels where clearance of existing structures is occurring (parcels 22-3-0-R, 22-3-A-R, 22-11-0-R and 22-10-1-R). The regrading and filling of the area around the structure on parcel 20-2-0-R will be completed as part of the remediation activities described below. There is a total allowance of \$20,000 to regrade these properties in preparation for future development.

#### Site Preparation Costs

As described in the URP and shown on Table 8, there are significant costs associated with the preparation of the Site for its eventual development. These costs include remediation of existing environmental issues such as the stump dump and wood waste pile on the former Whitworth property and potential issues on the properties to be acquired. The following is a summary of the basis for the site preparation costs as presented on Table 8 of the URP:

- **Clearing and Grubbing.** Approximately 125 acres of the total 242.2 acres to be acquired will require clearing and grubbing of existing vegetation and materials to be prepared for development. The remaining areas have already been cleared adequately to allow the site preparation work to begin. Langdon estimates a cost of \$7,000 per acre to be cleared and grubbed for a total estimated cost of \$875,000.
- **Remediation Work.** As part of the evaluation of the current conditions within the URP Site, there were several areas identified that require remediation to address inappropriate and abandoned land uses and meet regulatory requirements. The following are the identified environmental remediation tasks necessary for development of the Site to progress:

- The approximately five-acre stump dump located on parcel 20-2-0-R. As required by Massachusetts Department of Environmental Protection's (MassDEP) Solid Waste Management Regulations (310 CMR 19.000), the stump dump must be capped and closed. While many investigations need to be completed to determine the specific cap requirements, Langdon has assumed that a cap meeting the standards of MassDEP's Regulations at a unit cost of \$200,000 per acre for a total estimated cost of \$1,000,000.
  - Along the southern portion of parcel 20-2-0-R there is a large (estimated at 10,000 cubic yard in volume) wood pile left by a prior site operator. To develop the Site, Langdon assumed that these stumps and logs need to be excavated, chipped and removed for off-Site disposal. Langdon has estimated a cost of \$25 per cubic yard (cy) including the costs for off-site hauling and disposal of the chipped wood or a total cost of \$250,000 to remediate the wood pile.
  - As discussed in the URP, there are several historic groundwater contamination issues from both off-site, upgradient sources and on-site storage of cranberry wastes. Currently, the assessment and remediation of the upgradient groundwater contamination has been addressed and Langdon does not anticipate any future costs. There are still potential for limited activities related to the shallow, on-site groundwater plume and Langdon has included an allocation of up to \$50,000 to cover potential future costs.
  - Two of the parcels within the URP Site (parcels 20-2-0-R and 20-2-1-R) were historically depleted of their natural soils and require importing and placement of a significant quantity of fill to match grades on abutting properties, allow for vehicular access, provide a suitable plateau for development, and allow for proper stormwater drainage. These two parcels cover approximately 157 acres and Langdon has assumed an average cost of \$9,000 per acre to receive and place appropriate additional soils including required oversight, confirmatory testing, erosion and sedimentation controls, and temporary stabilization prior to development. Langdon estimates a total cost of \$1,413,000 to reclaim the areas where the natural soils were removed.
- Earthwork Costs. Once the two parcels referenced above (parcels 20-2-0-R and 20-2-1-R) that were historically depleted with sand removal are brought up to grade, there will be a need to construct stormwater basins for the final development, install construction erosion controls, regrade and prepare the properties included in the Site that were not historically mined for sand, place an initial area of gravel subgrade for future parking and roadway areas, and loam and seed areas that will not be immediately developed. The anticipated costs for these earthwork activities are shown on Table 1 below.



**Table 1**  
**Estimated Costs for Site Work Activities – North Carver Urban Renewal Plan**

Item	Quantity	Unit	Unit Cost	Extended Cost	Assumptions
Stormwater Basins	4	Each	\$50,000	\$200,000	Basins to be constructed for future development.
Prepare Non-Depleted Parcels	25	Acres	\$5,000	\$125,000	Regrade properties not included in reclamation project
Erosion Controls	10,000	Feet	\$2.50	\$25,000	Erosion controls during construction
Import and Place Gravel	64,000	Cubic yards	\$19	\$1,216,000	Install gravel preparing for future parking and access over 40 acres (12-inches thick)
Import and Place Topsoil	19,000	Cubic yards	\$25	\$475,000	Topsoil over estimated 35-acres outside of initial development (4-inch thick)
Hydroseeding and Temporary Stabilization	75	Acres	\$3,000	\$225,000	Temporary stabilization of areas outside of gravel and topsoil.
<b>Subtotal – Site Work Activities</b>				<b>\$2,266,000</b>	

**Note:** Extended costs rounded to nearest \$1,000.

- **New On-Site Roadway.** The new development requires an on-site roadway and associated utilities. Based on the conceptual design shown on Map I of the URP, this internal roadway will be approximately 4,500 linear feet (LF) in length. Langdon assumed a 32-foot wide paved surface appropriate for the proposed types of development. At an estimated unit cost of \$250/LF, the construction of the roadway is estimated to cost \$1,125,000. The costs for the improvements to Montello Street including the intersection with Route 58 are in addition to this amount and are described below.
- **New On-Site Utilities.** With the on-site roadway, the future development will include providing public water, sewer connection to an on-site wastewater treatment plant, underground electricity as will be required by the Carver Planning Board, and natural gas. Table 2 provides a summary of the assumptions used to develop estimated costs for these on-site utilities.

**Table 2**  
**Estimated Costs for On-Site Utilities – North Carver Urban Renewal Plan**

Item	Quantity	Unit	Unit Cost	Extended Cost	Assumptions
Water Pipe	4500	LF	\$150	\$675,000	Assume 12-inch ductile iron pipe including hydrants
Sewer	2500	LF	\$50	\$125,000	Assume 12-inch HDPE pipe
Stormwater Drain	2500	LF	\$120	\$300,000	Assume 30-inch HDPE pipe
Drain Manholes	23	Each	\$6,000	\$138,000	1 manhole/200 feet of road
Catch Basins	45	Each	\$6,000	\$270,000	1 catch basin/100 feet of road
Natural Gas	2500	LF	\$120	\$300,000	8-inch gas pipe
On-Site Electric Service	2000	LF	\$225	\$450,000	Estimate for underground concrete duct bank. Size unknown
Communication and Internet	4000	LF	\$45	\$180,000	Estimate for underground conduit. Specific needs unknown.
Lighting	36	Poles	\$4,000	\$144,000	1 light every 125-feet along road
<b>Subtotal – On-Site Utility Improvements</b>				<b>\$2,582,000</b>	

**Note:** Extended costs rounded to nearest \$1,000. Improvements including utilities on Montello Street shown below as Public Improvements. Appurtenances for each utility are included in the unit cost.

- **New Electrical Service.** The electric supplier for the Town of Carver, Eversource, was contacted to provide preliminary estimates of costs to supply a range of anticipated electric loads to the Site for the anticipated development. Based on this work, Langdon incorporated the estimated costs from Eversource for supplying 5MW of electricity to the future site users including upgrades to Eversource's distribution system to the Site (\$2.0 million) and an initial assessment of upgrades to the Eversource distribution system (\$200,000). Langdon also incorporated an allowance of \$800,000 for the potential to construct an on-site substation, if required. Based on Eversource's estimates, if the future development requires more than 5 MW of electricity, the costs for upgrades to their substation increase significantly.
- **On-Site Wastewater Treatment Facility.** There is no municipal sewer located near the Site. Therefore, the development will incorporate a small wastewater treatment plant to support site users. It is assumed that this plant will treat up to 34,000 gallons per day (gpd) of wastewater generated by up to 1,700 employees at 20 gpd/employee. Effluent from the wastewater facility will be discharged into the subsurface. The allowance for the installation of this plant including the subsurface leaching field is \$2,000,000.
- **Water Storage Tank for Fire Suppression.** Based on initial discussions with the Town and the types of large buildings contemplated for the future development, there is inadequate volume and pressure within the nearby North Carver Water District system to adequately provide fire suppression. Therefore, Langdon has incorporated an allowance for up to a 500,000-gallon water

storage tank to be installed on-site to provide fire suppression. At an estimated \$5 per gallon installed cost, this tank including associated piping will cost an estimated \$2,500,000.

### Public Roadway Improvements including Utilities

VHB conducted initial evaluations of the upgrades to Montello Street, including conceptual intersection designs for Montello and Route-58, as well as Montello and the site access roads. VHB also provided Langdon with cost estimates for upgrading the existing public roadways including installation of a new water main to the Site entrance. VHB provided an initial estimate of \$1,380,000 for the realignment of Montello Street at the intersection with Route 58 and another \$750,000 for the relocation and reconstruction of Montello Street to the proposed Site entrance.

The costs for a new water main down Montello Street and likely with a loop connection is included. For planning purposes, Langdon assumed a total length of 2500 LF of new pipe at a unit cost of \$150 per LF (including appurtenances such as hydrants and valves). This is a total of \$375,000 for this service pipe in addition to the on-site water pipes discussed above.

### Engineering Consultants

Langdon has included estimates for the permitting required under the Massachusetts Environmental Policy Act (MEPA, 301 CMR 11.00) including the Environmental Notification Form and the Draft and Final Environmental Impact Reports; design and local permitting to implement the site preparation tasks including the Special Permit(s) from the Carver Planning Board and Conservation Commission approval(s); and engineering complying with the Massachusetts Department of Transportation (MassDOT) requirements for the intersection upgrades at Route 44. These costs are summarized on Table 8 in the URP and are estimated to total \$1,280,000.

### Contingency

There are currently numerous unknowns about the preparation of the Site for its future development. Based on the level of design and the unknowns, Langdon has incorporated an additional 20% contingency for the subtotal of estimated costs. This level of contingency is in-line with standard practice for estimates of probable cost based on the conceptual project design that currently exists.

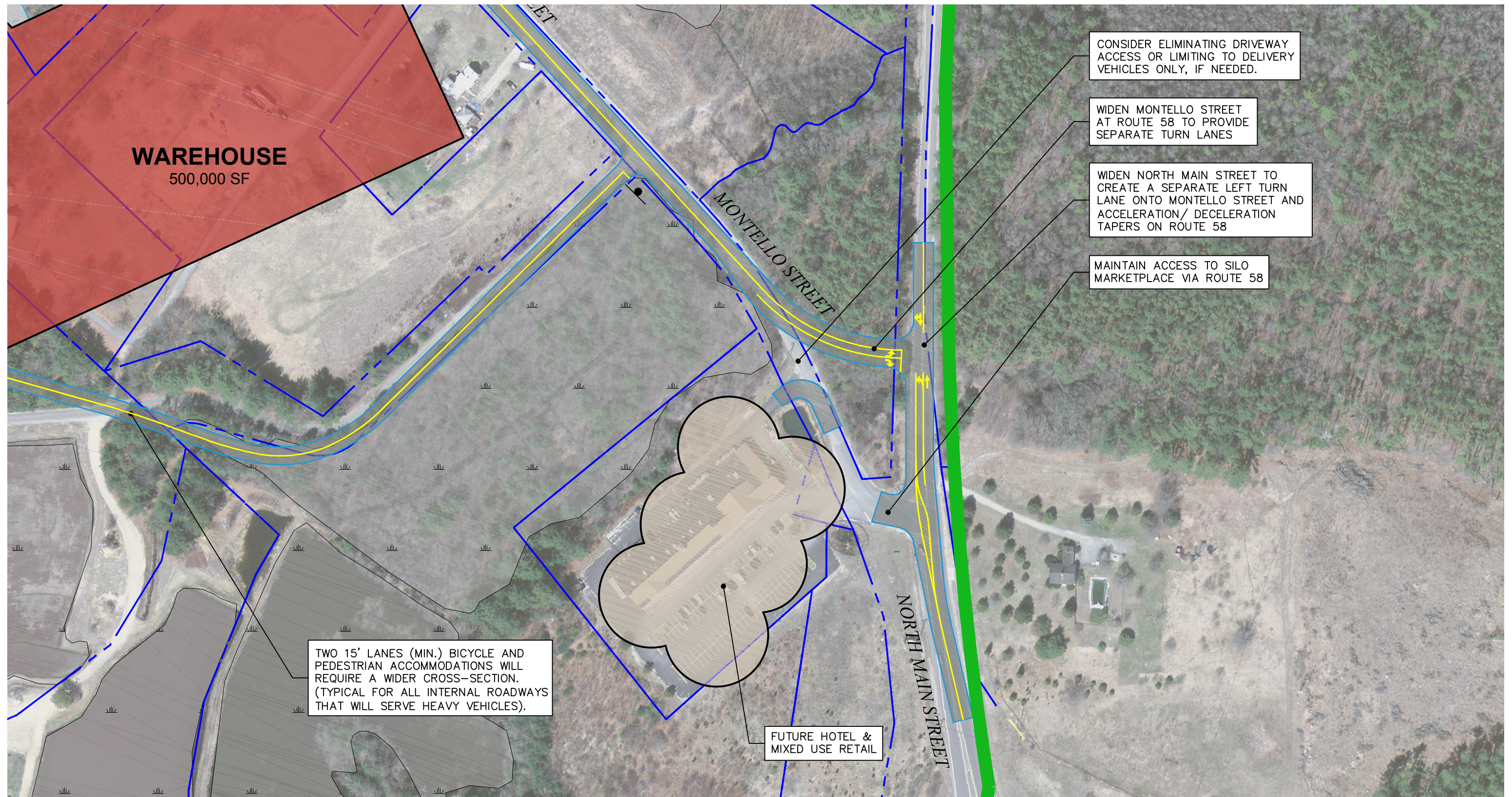
### Timetable

A timetable for this work is presented on Table 3.

**Table 3**  
**Anticipated Schedule for Activities**  
**Initial Preparation and Development of North Carver Urban Renewal Plan Area**

Year after URP Approval	Anticipated Activities
1	<ul style="list-style-type: none"> <li>• Site Reclamation activities at parcel 20-2-0-R continue</li> <li>• File Draft Environmental Impact Report with Massachusetts Environmental Policy Act (MEPA) office</li> <li>• Design of stump dump remediation and permitting by MassDEP</li> <li>• Begin parcel acquisition and relocation activities</li> </ul>
2	<ul style="list-style-type: none"> <li>• Site Reclamation activities at parcel 20-2-0-R continues</li> <li>• Remediate stump dump per MassDEP requirements</li> <li>• Complete parcel acquisition and relocation activities</li> <li>• File Final Environmental Impact Report with MEPA office. Complete MEPA process</li> <li>• Design and permitting for upgrades to Montello Street including intersection with Route 58</li> <li>• Determine portions of parcels 22-3-B-R, 24-2 and 24-1 requiring acquisition for upgrades to Montello Street</li> <li>• Begin marketing property to potential end-users</li> </ul>
3	<ul style="list-style-type: none"> <li>• Site Reclamation activities at former Whitworth property continue</li> <li>• Complete design and permitting of upgrades to Montello Street including intersection with Route 58</li> <li>• Implement construction of upgrades to Montello Street including intersection with Route 58</li> <li>• Design and permitting of on-site roads and utilities including wastewater treatment facility</li> <li>• Continue marketing property to potential end-users</li> </ul>
4	<ul style="list-style-type: none"> <li>• Construction of on-site roads and utilities including wastewater treatment facility</li> <li>• Parcel ready for initial development and use by end users</li> </ul>
5	<ul style="list-style-type: none"> <li>• Continue to market property to potential end-users</li> <li>• Continue development of property by end-users</li> </ul>





# Potential Access Reconfiguration

## Urban Renewal Area

### Carver, Massachusetts

Prepared for: Route 44, LLC.  
Date: June 3, 2016

NOTE: THIS GRAPHIC DEPICTS A POTENTIAL ROADWAY NETWORK THAT COULD SERVICE THE ENTIRE URP AND IS BASED ON A SIMILAR SKETCH PROVIDED BY THE CLIENT. DETAILED GROUND SURVEY AND ROADWAY DESIGN WILL BE NECESSARY TO DETERMINE THE EXACT LOCATIONS OF THE ROADWAYS AND THE PROPERTIES THAT MAY BE AFFECTED.

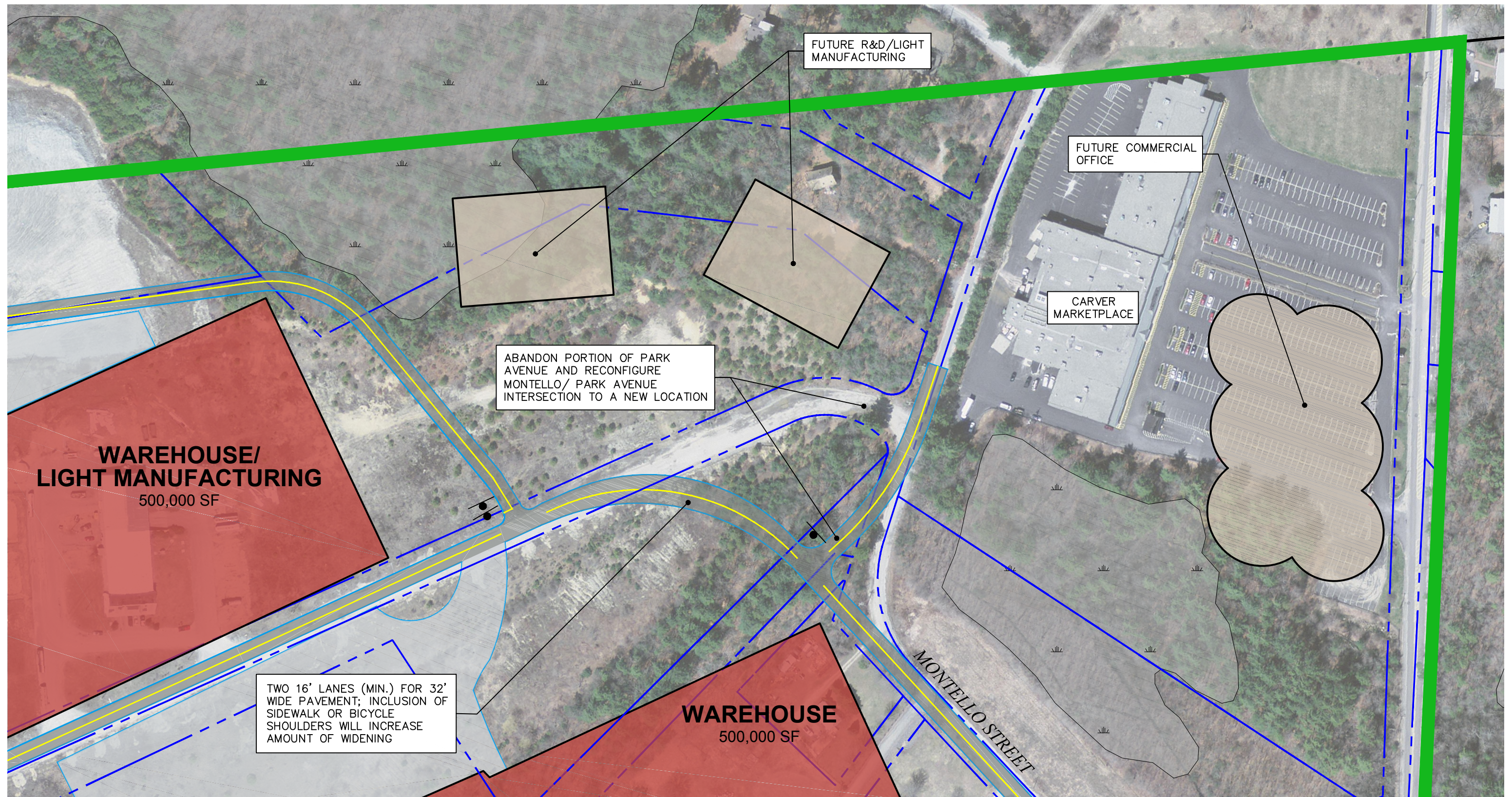
#### Legend

- EXTENT OF PROPOSED URBAN RENEWAL AREA
- SITE PROPERTY LINE
- ABUTTING PROPERTY LINE
- WETLANDS
- STORM BASIN



Figure 1 of 3





# Potential Access Reconfiguration

## Urban Renewal Area

### Carver, Massachusetts

Prepared for: Route 44, LLC.  
Date: June 3, 2016

NOTE: THIS GRAPHIC DEPICTS A POTENTIAL ROADWAY NETWORK THAT COULD SERVICE THE ENTIRE URP AND IS BASED ON A SIMILAR SKETCH PROVIDED BY THE CLIENT. DETAILED GROUND SURVEY AND ROADWAY DESIGN WILL BE NECESSARY TO DETERMINE THE EXACT LOCATIONS OF THE ROADWAYS AND THE PROPERTIES THAT MAY BE AFFECTED.

#### Legend

- EXTENT OF PROPOSED URBAN RENEWAL AREA
- SITE PROPERTY LINE
- ABUTTING PROPERTY LINE
- WETLANDS
- STORM BASIN

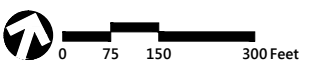
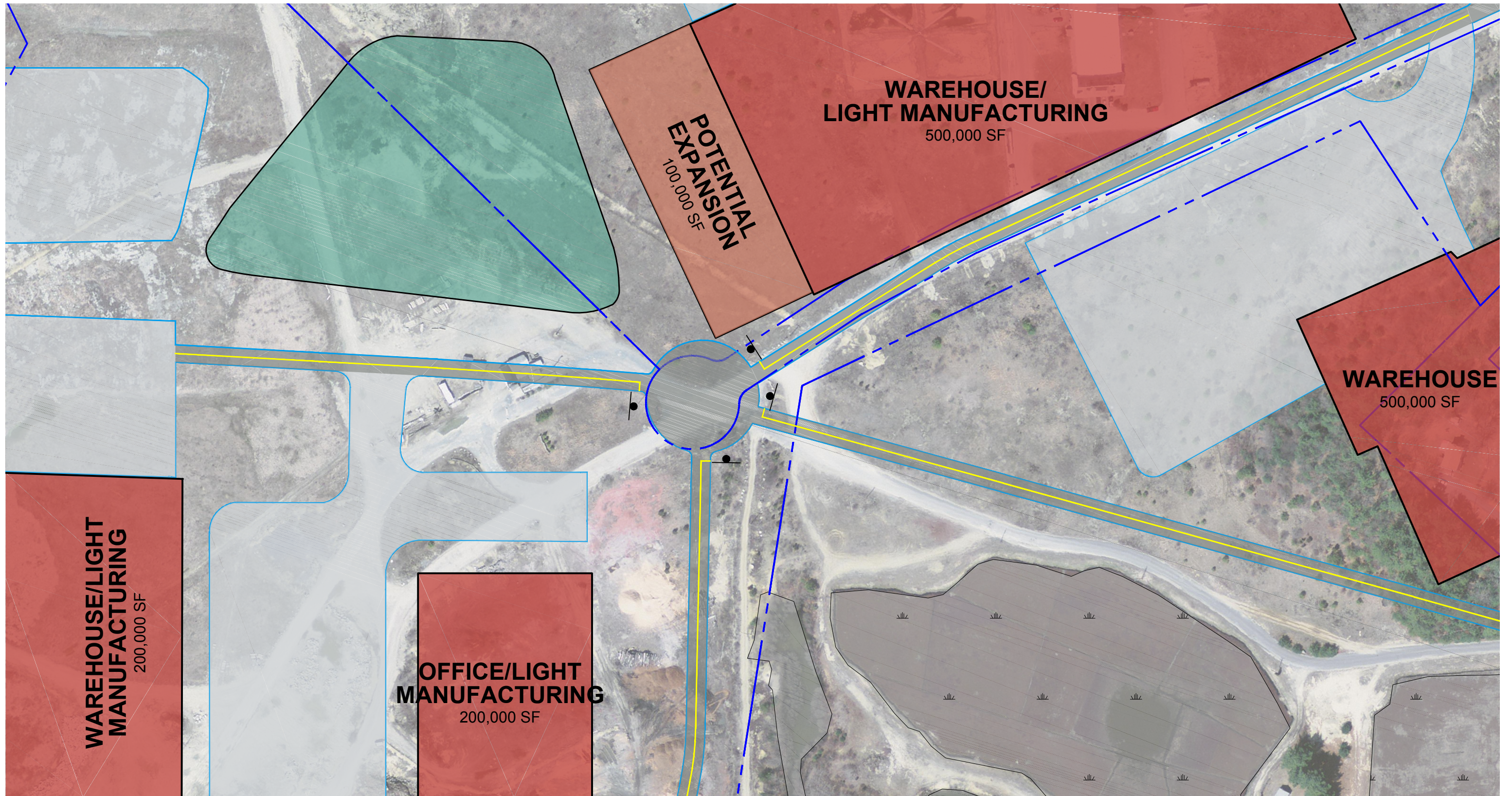


Figure 2 of 3





# Potential Access Reconfiguration

## Urban Renewal Area

### Carver, Massachusetts

NOTE: THIS GRAPHIC DEPICTS A POTENTIAL ROADWAY NETWORK THAT COULD SERVICE THE ENTIRE URP AND IS BASED ON A SIMILAR SKETCH PROVIDED BY THE CLIENT. DETAILED GROUND SURVEY AND ROADWAY DESIGN WILL BE NECESSARY TO DETERMINE THE EXACT LOCATIONS OF THE ROADWAYS AND THE PROPERTIES THAT MAY BE AFFECTED.

Prepared for: Route 44, LLC.  
Date: June 3, 2016

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#### Legend

- EXTENT OF PROPOSED URBAN RENEWAL AREA
- SITE PROPERTY LINE
- ABUTTING PROPERTY LINE
- WETLANDS
- STORM BASIN



Figure 3 of 3



## **APPENDIX 3**

### **Requisite Municipal Approvals**

The approvals and legal data provided in this Appendix 3 include:

1. **Public Hearing**. Copies of public hearing notices (public hearing minutes are provided as part of the minutes of the Carver Board of Selectmen below).
2. **Planning Board Minutes of December 27, 2016**: The Planning Board found that the North Carver URP is (1) based on a local survey and (2) conforms to the comprehensive plan for the town. The vote of the Board is highlighted on page 4 of the approved and attested minutes.
3. **Carver Redevelopment Authority Minutes of December 19, 2016**: The Carver Redevelopment Authority determined that an urban renewal project should be undertaken and voted to approve the draft North Carver URP. The vote of the Authority is highlighted on page 7 of the approved and attested minutes.
4. **Letter from the Carver Town Administrator and Carver Board of Selectmen minutes of January 5, 2017**: The Carver Board of Selectmen held a public hearing on Thursday, January 5, 2017. A copy of the hearing notice and certified mailing information is attached, including notice to the Massachusetts Historical Commission. After the close of the public hearing, the Board deliberated the Plan, and voted 4-1 to approve the Plan with one amendment. A letter from the Town Administrator, certifying the vote, and the draft minutes from the meeting are enclosed. The approved and attested minutes will be forwarded to the Department when they are available.
5. **Massachusetts Historical Commission**: A copy of the certified mail receipt for the Public Hearing Notice to the Massachusetts Historical Commission is attached.
6. **Massachusetts Environmental Policy Act**: A copy of the Expanded Environmental Notification Form (ENF) is attached. Record of Decision is pending.
7. **Counsel's Opinion**: A copy of the Opinion of Counsel to the Carver Redevelopment Authority is attached.



## **Public Hearing Notices**



# **TOWN OF CARVER**

## **Permitting Departments**

108 Main Street, Carver, MA 02330

508-866-3450

### **Public Hearing Notice**

In accordance with the provisions of Massachusetts General Laws, Chapter 121B, the Carver Board of Selectmen will hold a public hearing on

**January 5, 2017 at 7:00 PM**

**In the Carver Town Hall, Meeting Room #1**

On the request of the Carver Redevelopment Authority relating to the proposed Urban Renewal Plan affecting approximately 300-acres located off Montello Street in North Carver.

Any persons interested and wishing to be heard should appear at the time and place designated. A copy of the plan is on file at the Planning Department and may be reviewed during normal business hours.

Carver Board of Selectmen  
Ron Clarke, Chair

Carver Reporter Publish Dates: December 16 and 23, 2016



## TOWN OF CARVER ASSESSOR'S OFFICE

108 Main Street  
Carver, Massachusetts 02330  
Telephone (508) 866-3410  
Fax (508) 866-7401

*Cranberry Land USA*

December 16, 2016

TO: Deb Dineen

FROM: Dee Vicino

RE: North Main St – Route 44 Development

After speaking with you and Michael Milanoski yesterday, I did reach out to the abutting towns of Middleboro and Plympton in regards to obtaining an abutters list of property owners that are 300' from the town line in the area we have designated as the Urban Renewal Plan. The first response from their offices are to complete the request and submit the form to the office.

Knowing we didn't have the time to wait for this so I utilized their assessing maps available on line to retrieve the parcel numbers to identify the owners. I then proceeded to the Plymouth County Registry of Deeds to make sure that the owner listed on the property record cards were still the owners. There was one property that sold in October 2016 and I have noted that change. As of December 2016 all ownership should be correct according to Plymouth County Registry of Deeds.

The Middleboro parcels are:

<u>Identification</u>	<u>Location</u>	<u>Owner</u>
Map 035-1482	Plymouth St (Off)	Hills, Mark & Tracey
Map 026-2897	213 Plympton St	Schatzl, Valerie L & Dion, Steven
Map 026-3625	209 Plympton St	Clark, Shawn & Shannon*
Map 026-2858	Plympton St	Adams, Bryan P & Kimberley A
Map 026-3611	1 Brook St	Dyer, Douglas & Kathleen
Map 035-1561	Plymouth St (Off)	Thomas, Virginia A Trustee
Map 026-3695	Plympton St	Town of Middleborough
Map 035-1357	Brook St	Route 44 Development LLC
Map 035-748	Brook St	Route 44 Development LLC
Map 035-595	Plympton St	Melville John L

\*New owners as of 10/2016

The Plympton parcels are:

<u>Identification</u>	<u>Location</u>	<u>Owner</u>
Map 21-1-1	0 Montello St	Thomas, Elizabeth, Estate
Map 23-3-19	0 Prospect Road	Town of Middleborough
Map 23-3-31	0 Propsect Road	Melville, John L
Map 23-3-32	0 Prospect Road	Maurer David
Map 24-1-4	24 Montello St	Massingham Gordon & Nancy
Map 24-1-5	10 Heather's Path	Callahan Dennis J
Map 24-1-6	20 Montello Street	Kirkland Robert IV
Map 24-1-7	16 Montello Street	Emerson Jamie P
Map 24-1-8	0 Prospect St	Route 44 Development LLC
Map 24-1-18	10 Montello St	Bates Kristin M
Map 24-1-19	6 Montello St	Kenney, William F & Elizabeth
Map 24-2-1/2	406 Main St	CPI Plympton LLC
Map 24-2-3	0 Main St	Kaiser Theodore S
Map 24-3-2	403 Main St	Nash Leah A
Map 24-3-1	399 Main St	Figeuroa David G

I've removed the owner's that we already have labels for from properties owned in Carver and the attached labels are the owners you want to include in your mailing.



20-1-0-R

20-1-B-R

20-2-0-R

44 GRAVEL & SAND INC  
C/O AMERICAN TOWER CORP  
PO BOX 723597  
ATLANTA, GA 31139

JBMJ LEASING CORP  
241 PLYMOUTH ST  
CARVER, MA 02330

ROUTE 44 DEVELOPMENT LLC  
C/O CHARTER ENVIRONMENTAL  
560 HARRISON AVE 5TH FL  
BOSTON, MA 02118

20-2-1-R

20-3-0-R

20-12-0-R

WALSH COMMERCIAL PROPERTIES LL  
1226 HYDE PARK AVENUE  
HYDE PARK, MA 02136

THOMAS JEFFREY TTEE  
STUMP REALTY TRUST  
104 PLYMPTON STREET  
MIDDLEBORO, MA 02346

MELVILLE JOHN L  
8 PINE STREET  
S. MIDDLEBORO, MA 02346

20-13-0-R

20-14-0-R

21-1-0-R

MIDDLEBORO TOWN OF  
C/O DEPT OF PUBLIC WORKS  
48 WAREHAM STREET  
MIDDLEBORO, MA 02346

KUHN JULIE A  
35 ROCKWOOD STREET  
JAMAICA PLAIN, MA 02130

CARVER INVESTORS LLC  
C/O MICOZZI MANAGEMENT INC  
159 CAMBRIDGE STREET  
ALLSTON, MA 02134

21-2-1-R

21-2-A-R

21-4-3-R

ARTIANO VITTORIO M JR TR  
COMMERCE WAY II REALTY TRUST  
6 COMMERCE WAY  
CARVER, MA 02330

CLANCY PAUL E TTEE  
MEHUTCHETT RLTY TRSRT  
932 MAIN STREET  
BROCKTON, MA 02301

LMC REALTY LLC  
3 MARION DR  
CARVER, MA 02330

22-3-0-R

22-3-1-R

22-3-A-R

TASSINARI MICHAEL A  
TASSINARI SHARON M  
12 MONTELLO ST  
CARVER, MA 02330

BOROFSKI DAVID C  
57 RIVER STREET  
PLYMOUTH, MA 02360

ALLEN S JOHN  
ALLEN LISA M  
20 MONTELLO ST  
CARVER, MA 02330

22-3-B-R

22-4-0-R

22-5-B-R

TUSCHER BRUCE  
TUSCHER KAREN  
16 MONTELLO ST  
CARVER, MA 02330

COLE ALICE B TR  
JENNINGS FREDERICK C TR  
PO BOX 269  
NORTH CARVER, MA 02355

THE ADVANCED GROUP CARVER LLC  
PO BOX 292  
NORTON, MA 02766

22-5-C-E

22-7-A-R

22-10-0-R

CARVER TOWN OF  
PO BOX 67  
CARVER, MA 02330

EST OF EBENEZER A SHAW ET AL  
0-OFF MONTELLO ST  
CARVER, MA 02330

MELVILLE ROBERT C  
11 CROSS STREET  
CARVER, MA 02330

23-3-1-R

23-3-2-R

23-3-3-R

MASSINGHAM GORDON  
MASSINGHAM NANCY  
24 MONTELLO ST  
PLYMPTON, MA 02367

BUTLER ROBERT W JR  
40 LAKEVIEW BLVD  
PLYMOUTH, MA 02360

JACKSON RICHARD M  
SINGLETARY MELISSA  
4 HEATHER'S PATH  
PLYMPTON, MA 02367

24-1-0-R

24-3-0-R

24-4-0-R

S A WEBBY INC  
C/O S.A WEBBY INC  
108 WATER ST  
PLYMOUTH, MA 02360

WATERSTONE SOUTHEAST PORTFOLIO  
322 RESERVOIR STREET  
NEEDHAM, MA 02494

NASH LEAH ANN  
C/O NASH MICHAEL C  
159 NORTH MAIN ST  
CARVER, MA 02330

24-4-A-R

25-1-A-R

LEARY HOLLIS JR  
LEARY MARGARET A  
PO BOX 26  
NORTH CARVER, MA 02355

SMD DEVELOPMENT LLC  
280 AYER ROAD  
HARVARD, MA 01451

035-1482

Mark & Tracey Hills  
195 Rocky Meadow Street  
Middleboro, MA 02346

026-12897

Valerie L & Dion, Steven Schatzl Trs,  
213 Plympton Street  
Middleboro, MA 02346

026-3625

Shawn & Shannon Clark  
209 Plympton Street  
Middleboro, MA 02346

026-12858

Bryan P & Kimberly A Adams  
110 Prospect Road  
Plympton, MA 02367

026-3611

Douglas & Kathleen Dyer  
1 Brook Street  
Middleboro, MA 02346

035-1561

Virginia A Thomas Trustee  
104 Plympton Street  
Middleboro, MA 02346

026-3695

Town of Middleborough  
Landfill  
10 Nickerson Avenue  
Middleborough, MA 02346

21-1-1

Elizabeth Thomas Estate  
392 Main Street  
Plympton, MA 02367

23-3-32

David Maurer  
c/o Julie A Kuhn  
35 Rockwood St  
Jamaica Plain, MA 02130

24-1-5

Dennis J & Maureen F Callahan  
10 Heather's Path  
Plympton, MA 02367

24-1-6

Robert & Kristin Kirkland IV  
20 Montello Street  
Plympton, MA 02367

24-1-7

Jamie P Emerson  
6 Linda Lane  
Somerset, MA 02726

24-1-18

Kristn M Bates  
10 Montello Street  
Plympton, MA 02367

24-1-19

William F & Elizabeth Kenney  
6 Montello Street  
Plympton, MA 02367

24-2-1-2

CPI Plympton LLC  
c/o NAI Hanson Management LLC  
235 Moore Street  
Hackensack, NJ 07601

24-2-3

Theodore S & Ruth E Kaiser  
58 Waldo Street  
Brockton, MA 02301

24-3-1

David G Figueroa  
399 Main Street  
Plympton, MA 02367

Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.

~~Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.~~

~~Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.~~

Copies of  
Cert. mailings

Middleboro  
Plympton  
Wareham  
Kingston  
Plymouth

~~Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.~~  
  
~~Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.~~  
  
~~Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.~~

## **Vote of the Carver Planning Board**





Approved 1.10.17

## Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, December 27, 2016, Carver Town Hall, Meeting Room #1. This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; James Hoffman; William Sinclair

Also present: Marlene McCollem, Director of Planning and Community Development

Absent: Chad Cavicchi; Kevin Robinson (Arrived at approximately 7:20 PM)

Bruce Maki, Chairman, opened the meeting at 7:07 PM, followed by the pledge of allegiance.

TOWN CLERK  
2017 JAN 24 AM 9 09  
CARVER MA

### Discussion:

*Planning Board's role in the North Carver Urban Renewal Plan local approval process: Mr. Sinclair has excused himself as he is the Chairman of the Redevelopment Authority.*

Mr. Sinclair, Redevelopment Authority, Chairman. I am happy to bring to you the North Carver Urban Renewal Plan. The Board met last week and voted to bring it forward. The Board has worked on this for at least 6 – 7 months. I would like to take a minute to talk about what the community has done. The community has invested a substantial amount of money in the North Carver Water District, which will help provide for this project. There have also been Plans, development, feasibility, economic studies, etc. This plan will be a great asset to help develop the North Carver District. With the Master plan – one of your criteria is for you to make sure it fits your plan. I can tell you that the updated Master plan is carrying that forward. The comprehensive economic study that was done was very thorough. We reached a point in the last meeting that the Tusher property is now listed as a "Not to Be acquired." The plan is a good guide for us and will show us the right way to do this. There is a lot of information here. I hope you did some of your background on this. I am encouraging the Planning Board to bring this forward.

Ms. McCollem – The last time the Planning Board discussed this was on December 13, 2016. The Redevelopment Authority then met on the December 19, 2016. The Redevelopment Authority voted on the December 19<sup>th</sup> to move the plan along. It is now ready for you to take your vote, if you so choose. I have provided a copy of section 6 approvals. The Planning Board is the 2<sup>nd</sup> paragraph. You will make two findings, if you agree.

1. You find that the plan is in concert with the master plan for the community.
2. The plan has to be based on a local survey. This is not a survey like a land survey. They are looking for the Planning Board to look at methodology of this current plan. Maureen Hayes and I have done numerous site visits and compared field cards, etc.

These are the two items the state wants to hear about.

Mr. Maki – I have read this and found it to be quite comprehensive. The town history is very detailed. It gives us great guidance with future development. I feel this document is compliant with the master plan and I would recommend it to move forward for review by selectmen.

Mr. Robinson – I would like to know a little history on the residents that will be affected by eminent domain. I don't feel comfortable with this, being a resident of Carver for a significant time, I am concerned with not only the residents, but with the bog owners. Are the cranberry bog owners going to receive payment for their property? I would like a little history on that. I agree that this looks excellent and feel it would help the town, but I need this additional information to make sure I understand the process and feel comfortable.

121 B does give the Redevelopment Authority, eminent domain power. The plan makes it clear that a "taking" is the last resort. The Redevelopment Authority will have to exhaust attempted negotiations first. Currently, there are two residential homes under private agreement. Those will not be taken. The other properties, including bog properties, will go through, at some point, a negotiation process. If there is no agreement, there will have to be two independent appraisals done. This is the law that the Redevelopment Authority has to follow. There is strict oversight on this. In addition to that, there are other properties that will be looked at to determine the value of that asset. The eminent domain process is not a taking, it's a tool to use as a last resort. There are also relocation costs to be considered. The bogs will be treated like a business. Mr. Robinson – That is a great explanation. I feel better about this



process. I like the idea and would like to believe there won't be a necessity for that last resort. Ms. McCollem - There are two properties with occupied homes on them that are under agreement. There are two additional properties but one is vacant. Mr. Robinson - Is one of these properties the one that sits in the center of the bogs? Ms. McCollem - Yes, the other property is not occupied.

Mr. Hoffman - I would like to clarify - Originally when the eminent domain came up people were not happy. There are three owner occupied home, one was the Tusher property? Ms. McCollem Yes.

Ms. McCollem - Rt 44 Development has entered into a contract with the Redevelopment Authority, as the preferred developer. Once one acquisition happens as a public transaction, the state then becomes involved. Mr. Robinson - the two not under agreement now may have been approached but we don't know? Ms. McCollem - Correct. Mr. Robinson - The Planning Board doesn't have to vote on that? Ms. McCollem - No, The RDA had to approve the plan and move it forward. The Planning Board has to make two findings, as mentioned earlier. Mr. Robinson - I wanted to make sure everyone understands that this board is not approving the plan, we are just making the findings. Ms. McCollem - Yes, the Selectmen will approve the whole plan. Mr. Robinson - When was the survey done? Ms. McCollem - the state uses the term *survey* as the data collected - current assessment, tax rate, etc., In addition to the public records data, Maureen and I have done a number of site visits to essentially field verify that what we are saying is actually true. The methodology is explained in the survey. We did update as necessary. Mr. Maki - If we vote on this tonight, we are just voting on these two findings. If this goes to the Selectmen, is that a public hearing? Ms. McCollem - The selectmen have to hold a public hearing which has been advertised for January 5, 2017. People have the right to speak and the board has to take that information into consideration. Your role is just those two findings. You have a defined limit of jurisdiction. Its not a wide open approval you are being asked for. Mr. Maki - Does anyone have any further questions? NONE. Mr. Maki - I would like to thank Mr. Sinclair and Ms. McCollem for their hard work. Mr. Hoffman - Once this gets approved, has there been any discussion with potential customers? Mr. Sinclair - the Rt 44 Development Representative at the last meeting eluded to the fact that there was some interest but he could not provide details due to a confidentiality agreement. I feel the community has a right to know this information. I thank you Mr. Hoffman for bringing up the eminent domain issue and getting clarification on this process. We have done a lot of outreach and have had a lot of help from the community. We listened and it shows in the document in front of you. This is a long process. remember everything takes time. Think back to when Shaws was coming in. There is a process, permitting, etc. I would love to say who's coming but we just don't have that information. This document will help us to better define that area. There would have to be investment - for example, water source, electricity, how septic is treated, etc. Mr. Hoffman - this is an excellent document. You all worked hard. The Redevelopment Authority took the public's feedback and built it into this document. Mr. Sinclair - It

can't just be a board of 4 people; it takes a lot more, the board decided early on to include the public in this process. Their input is valuable. Mr. Maki – without this the area would stay undeveloped. Mr. Sinclair – Having a document in place and have it overseen by a state agency is huge. Checks and balances are important. Board members do change. Mr. Maki – Thank you again. If there are no other questions,

*A Motion is made that we, the Planning Board, find the North Carver Urban Renewal Plan is based on a local survey and conforms to the comprehensive plan for the towns as a whole: Mr. Hoffman*

*Second: Mr. Robinson*

*Approved: Unanimous (3-0) Mr. Sinclair was recused*

#### *Articles for the April Town Meeting:*

Bedroom Density limit revision to the Water Resource Protection District –

This was discussed at the last meeting and requested some feedback from the Board of Health to come tonight. Ms. McCollem You have a copy of the email sent on Dec 14, 2016. I've let him know that the board has invited him or anyone else to speak to this, at this meeting. As you can see from his correspondence, he is out of state and I haven't received any additional communication from him or other parties. The Board of Health does not have a quorum to meet and have no meetings scheduled. The health agent and I have discussed it briefly. There are other things that the Board of Health can do to help with the issues of water protection. Mr. Maki – I know it will limit the number of bedroom especially in a ½ acre lot. There are also those that have 3 bedrooms that only utilize one as a bedroom. What would happen to a conservation subdivision? Ms. McCollem - Everything is built on the lot size. It would be a similar calculation, acknowledging the open space area. You would have a yield plan for # of lots/ # of bedrooms. The proponent would have to show the layout. Mr. Maki- I don't think I am too concerned about this right now. It would just put more limitations on the people. Mr. Sinclair – I think there is alternatives governed by the Board of Health and engineering. Yes, it will cost the developer more but I have a hard time governing people's assets. If a resident wants to add a bedroom but this is in place, they won't be able to. As a property owner I have other avenues (other than zoning). Until I get more information from the Board of Health or proponent I am not willing to move forward with this. Mr. Hoffman – I agree; I don't think we want to put in more restrictions. I don't want to jump the gun on this. Mr. Sinclair – It's good to note that this would be a town wide restriction. This is important that we all



understand the action they want us to take. There is a legitimate concern with nitrogen loading and private wells. I just don't think this should be a zoning issue. Mr. Maki – If you are to sell your house now, you have to have a septic inspection. If there's a problem, it has to be fixed. If your septic is too close to the water system, they will allow you to put in a system to handle that. I agree with everyone here. Unless someone has more info, I would suggest that we not move forward to town meeting. Ms. McCollem - You are getting close to the deadline for decision. It was agreed to remove this from the list and not move it forward.

### Other Business

#### *A. Planning Board Member Notes*

Master Plan Committee - The committee met last Wednesday and we are really close to bringing the document forward. We have another meeting on January 11, 2017, to work out any final concerns. There was discussion on the Council on aging building and the need to have it closer to the center of town. We talked about the agricultural piece. We talked about different pieces that need to be included. The document layout – We should go from land use right into agricultural use. By the time you go through the master plan, at the end of the plan, there is the agricultural piece. Also, the committee is looking at the implementations chart to see if there are any changes needed to the priorities. Mr. Maki - Thank you for all your help with this. Ms. McCollem has been an asset to this process. Thank you both.

#### *B. Minutes – December 13*

*Motion to approve minutes from December 13, 2016, as recorded: Mr. Sinclair*

*Second: Mr. Hoffman*

*Approved: Unanimous*

#### *C. Correspondence: None*

D. Mr. Hoffman would like to wish the Board and the public a Happy New Year.

#### *E. Next Meeting date:*

The next Planning board meeting has been scheduled for January 10, 2017

- a. Right now we have the lot release for Linbia's path. The plan was recorded and the special permit was recorded today.

*F. Adjournment:*

*A motion was made to adjourn the meeting at 8:14 PM: Mr. Sinclair*

*Second: Mr. Robinson*

*Approved: Unanimous*



# TOWN OF CARVER

## Office of Planning & Community Development

### PUBLIC MEETING NOTICE

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, SECTION 20B

### PLANNING BOARD MEETING AGENDA

December 27, 2016

7:00 PM

Carver Town Hall Room #1

#### Discussion:

*Planning Board's role in the North Carver Urban Renewal Plan local approval process*

#### *Articles for April Town Meeting:*

*Bedroom density limit revision to the Water Resource Protection District*

#### Other Business

- A. Planning Board Member Notes
- B. Minutes –December 13, 2016
- C. Correspondence
- D. Next meeting date: January 10, 2017
- E. Adjournment

A TRUE COPY ATTEST:

*Agnes A. Dwyer*  
TOWN CLERK



**Carver Redevelopment Authority  
Approval of the North Carver URP**



**Meeting Minutes for December 19, 2016; 7:00 PM, Carver Town Hall, Room 1**

Attendees: William Sinclair, Chair; Johanna Leighton; Mr. Abatiello; Charles Boulay

Also in attendance: Marlene McCollem, Planning and Community Development

The meeting was opened, by Mr. Sinclair, at 7:01 PM.

***Further discussion of the Urban Renewal Plan; 127-acre parcel, owned by Rt- 44 Development, LLC - located off Montello Street, in North Carver.***

TOWN CLERK  
2017 JAN 24 AM 9 09  
CARVER MA

A. Updated draft and outstanding items: Ms. McCollem – Unfortunately my laptop is in the shop so we will review the updates with the handouts provided (everyone received a handout with the maps, etc.). The board members have a version of the plan and appendixes.

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1. The Planning Board vote is very specific. They have to decide that they can find that the plan is in concert with a master plan for the community. track.



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Appendix 5 – A copy is attached.

Appendix 6 - Citizen participation summary includes minutes, agendas and any correspondence. This will be updated as we go.

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*Motion to remove the Tusher property from the map and from the Urban Renewal Plan from partially acquired to Not to be acquired. Mr. Abatiello*

*Second Mr. Boulay*

*Approved Unanimous*

Ms. Leighton – Master plan question. Ms. McCollem – The Planning Board had a very good discussion about this. Look in the draft plan on page 27. The Planning Board is concerned that we are out of sync. Page 27 second bullet. The 2001 plan is in effect. The town's master plan is being updated and it is clear the subject area will continue to be a priority. The Planning Board has to find that the Master plan is consistent with the Urban Renewal Plan. The Planning Board understand that it is in the old one and is coming in the new one.

Mr. Sinclair – Any other questions? – none

Mr. Sinclair – Are there any audience member with any questions or concerns?

Mr. Tusher – I just want to thank you for your vote. I don't know if the zoning of our property will be changed. Ms. McCollem - Currently your property is zoned as green business park. The Planning Board has made a motion to rezone some property. Would you like to have it rezoned to residential/agricultural? Mr. Tusher would like to think about that. Ms. McCollem – We won't change anything unless I hear differently from you.

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Ms. McCollem - Mr. Chairman I would like to clarify the North Carver Water District had a DIF that includes this area. 50% of the increase of new growth is sent to fund the North Carver Water District; this won't change for this project. Table 8 - in the plan on page 58, \$2.5 mill dollars for a water tower that would provide the water for the hydrants in this development and is tied into the public water system. It would serve this development and storage. Appendix 5 - In the preliminary development agreement, the phrase *eminent domain* has been in existence since April and I don't recommend you strike it.

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Karen Tusher – Thank you to each of you for your vote. It means more than you will ever know.

Darlene Cassiani – Plymouth – Eminent domain properties – Is the town prepared financially, to absorb the cost or is the developer going to absorb this? Ms. McCollem – it is covered in the developer's agreement.

Mr. Sinclair – Thank you for your comments and questions. ‘

B. Possible vote to approve the Draft North Carver Urban Renewal Plan:

Ms. McCollem. – If you move to vote the plan it would be conditioned with all updates including removing Tusher property from partial to no acquisition. Mr. Sinclair – This will be noted in any motion. Ms. Leighton – This will also contingent on any other changes. Ms. McCollem – Yes when the final vote happens all changes will be included.

*Motion was made to approve the Draft North Carver Urban Renewal Plan with the removal of the Tusher property from partial acquisition and listed as Not to be Acquired, with any updates: Ms. Leighton  
Second: Mr. Abatiello  
Approved: Unanimous*

***Receipt of an offer for 94 Forest Street– Discussion and possible vote***

Mr. Sinclair - At this time I will excuse myself, as the potential person who made an offer is my landlord.

Mr. Abatiello – Purchase price is \$170,000 to seller for purchase of this premises. Do we accept that offer? Ms. McCollem – this is the lot that you own across the street from the glass company/Quickeez. Morse engineering did some preliminary work for you. We listed the property at \$250,000 with no activity. As some point you lowered the price to \$200,000. This is the first offer received. Ms. Leighton – Are there any restrictions? Ms. McCollem – No, just the regular town zoning limits. Mr. Abatiello – They will have to file for permits? Ms.  
Carver Redevelopment Authority 12/19/16



Approved by the CRA on January 5, 2017

McCollem Yes. They have to meet all requirements for set backs. Ms. Leighton – What were the engineering costs? Ms. McCollem – they were minimal. Mr. Abatiello - What is the pleasure of the board?

*Motion to accept the offer for \$170,000: Mr. Boulay*

*Second: Ms. Leighton*

*Approved: Unanimous (3-0) – Mr. Sinclair was recused*

### ***Bills Payable and Treasurer's Report –***

The balances, in the following accounts, are as of November 30, 2016.

- Checking - \$ 1602.07
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We will need to move \$12,975 into checking account.

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to the checking account: Mr. Abatiello*

*Second: Mr. Sinclair*

*Approved: Unanimous*

*Motion to approve treasurer report as presented: Mr. Sinclair*

Approved by the CRA on January 5, 2017

*Second: Mr. Boulay*  
*Approved: Unanimous*

*Motion to pay Susan Hannon and Hayes Development Services: Mr. Boulay*  
*Second: Mr. Abatiello*  
*Approved: Unanimous*

***Correspondence:***

*Rockland Trust letter dated 11/3/16 – a copy of this letter is attached*

Mr. Sinclair read the letter to the Board.

This is great news. Job well done by Ms. Leighton, Valerie and Ms. McCollem!

Ms. Leighton - Requested yearly report be moved to April. This was not an issue.

***Minutes: November 21, 2016***

Minutes were reviewed.

*Motion to approve meeting minutes as recorded: Ms. Leighton*  
*Second: Mr. Boulay*  
*Approved: Unanimous*

***Next Meeting: January 5, 2017***

Ms. McCollem. I recommend that you post your next meeting Thursday Jan 5, 2017 at 7:00 p.m., during the next Board of Selectmen meeting. If you want to address the board you can. You may want to post it to start at 6:30. I can put you in room 4 and then you can move to room 1 at 7:00.

*Motion to hold our next meeting on 1/5/17, in room 4: Mr. Abatiello*

*Second: Mr. Boulay*

*Approved: Unanimous*

Mr. Sinclair – I would like to wish everyone a safe and happy holiday.

Christine Joy – I emailed you re: closing Montello to thru traffic. Ms. McCollem – Yes, we have this, it is in Appendix 6.

***Adjournment:***

*Motion was made to adjourn this meeting was made at 8:28 PM: Mr. Abatiello*

*Second: Ms. Leighton*

*Approved: Unanimous*

A TRUE COPY ATTEST:  
*Agnes A. Douglas*  
TOWN CLERK



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Second: Mr. Abatiello  
Approved: Unanimous*

***Receipt of an offer for 94 Forest Street– Discussion and possible vote***

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*Motion to accept the offer for \$170,000: Mr. Boulay*

*Second: Ms. Leighton*

*Approved: Unanimous (3-0) – Mr. Sinclair was recused*

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*Second: Mr. Sinclair*

*Approved: Unanimous*

*Motion to approve treasurer report as presented: Mr. Sinclair*



Approved by the CRA on January 5, 2017

*Second: Mr. Boulay*  
*Approved: Unanimous*

*Motion to pay Susan Hannon and Hayes Development Services: Mr. Boulay*  
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***Correspondence:***

*Rockland Trust letter dated 11/3/16 – a copy of this letter is attached*

Mr. Sinclair read the letter to the Board.

This is great news. Job well done by Ms. Leighton, Valerie and Ms. McCollem!

Ms. Leighton - Requested yearly report be moved to April. This was not an issue.

***Minutes: November 21, 2016***

Minutes were reviewed.

*Motion to approve meeting minutes as recorded: Ms. Leighton*  
*Second: Mr. Boulay*  
*Approved: Unanimous*

***Next Meeting: January 5, 2017***

Ms. McCollem. I recommend that you post your next meeting Thursday Jan 5, 2017 at 7:00 p.m., during the next Board of Selectmen meeting. If you want to address the board you can. You may want to post it to start at 6:30. I can put you in room 4 and then you can move to room 1 at 7:00.

*Motion to hold our next meeting on 1/5/17, in room 4: Mr. Abatiello*

*Second: Mr. Boulay*

*Approved: Unanimous*

Mr. Sinclair – I would like to wish everyone a safe and happy holiday.

Christine Joy – I emailed you re: closing Montello to thru traffic. Ms. McCollem – Yes, we have this, it is in Appendix 6.

***Adjournment:***

*Motion was made to adjourn this meeting was made at 8:28 PM: Mr. Abatiello*

*Second: Ms. Leighton*

*Approved: Unanimous*

A TRUE COPY ATTEST:  
*Agnes A. Douglas*  
TOWN CLERK



**Carver Board of Selectmen  
Approval of the North Carver URP**



## BOARD OF SELECTMEN

*Michael R. Milanoski*  
Town Administrator

*Elaine M. Weston*  
Assistant Town Administrator

**108 Main Street  
Carver, MA 02330  
Telephone: 508-866-3401/Fax: 508-866-4213**

January 24, 2017

Ms. Chrystal Kornegay  
Undersecretary  
Department of Housing & Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02114

Re: North Carver Urban Renewal Plan

Dear Undersecretary Kornegay:

At its meeting of January 5, 2017 the Carver Board of Selectmen held a public hearing on the draft Urban Renewal Plan proposed for North Carver. At the close of the hearing, the Board deliberated the merits of the plan and voted to submit the Plan to the Department in accordance with Ch. 211B, Section 48.

A copy of the draft minutes are enclosed with this letter. The approved and attested minutes will be forwarded to your Office when they are available. Please do not hesitate to contact me if you have any further questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "MR Milanoski", is written over a horizontal line.

Michael R. Milanoski  
Town Administrator

# **Urban Renewal Plan Hearing Process Board of Selectmen Meeting Minutes January 5, 2017**

**In Attendance:** Chairman Ronald Clarke, Vice-Chairman Alan Dunham, Sarah Hewins, Helen Marrone, Dave Robertson, Chairman William Sinclair, Vice-Chairman Brian Abateillo. Treasurer Johanna Leighton, Director of Planning and Community Marlene McCollem & Kari Poudrier

**Chairman Clarke** called the meeting to order at 7:00pm.

Chair led the meeting with the Pledge of Allegiance and Marrone read the community prayer.

**Clarke** asked that a motion be made allowing Dunham to chair the meeting. Marrone made the motion to allow Alan Dunham chair the meeting, 2<sup>nd</sup> by Robertson.

**Chair Sinclair** opened the Redevelopment Authority meeting at 7:03pm.

**Chairman Sinclair** and **Marlene McCollem, Planning** read and discussed all the topics in great detail within the “North Carver Urban Renewal Plan” document that had been made available to the public on our website.

**Chairman Sinclair** spoke on the topic “A Draft URP for North Carver” including the 20+ year history of this effort as outlined in the slides.

**Michael Milanoski, TA** discussed the URP Open Public and Transparent Process issues; that is designed to protect the Town with significant Potential Opportunities that has no quantifiable risk to the Town and zero financial obligations from the town. In his closing he noted he recommended the Board to consider looking favorably upon the proposed plan and to approve the Redevelopment Authorities Urban Renewal Plan. He also noted although there are no guarantees he believes beyond a reasonable doubt, if this proposed project is developed as projected it will have a significant long term benefit to the town of Carver as a whole that hopefully outweighs any concerns the board may have.

TA also commended the RDA its open planning process, holding meetings, getting public input and the transparency made getting all the information out to the public

**School Superintendent Scott Knief** – discussed FY17 the 7.8% increase based on the budget shortfall. He noted that the community of Carver needs to find a way to increase revenue sources to be able to appropriate support the schools and the future of the students. 1.75 percent increase in the school budget – he noted we need to find ways to build new revenue to support the schools, students and the community.

**Route 44 Development, LLC**, –George McLaughlin, Manger and Co-owner reviewed his professional history as well as his partner Robert Delhome who is also a Manager Co-owner profession history. As developers they acquired/bought the parcel to build upon as an Urban

Renewal Process. He commended the town on its communication and thanked the board for their time and consideration.

**Board of Selectmen** expressed concerns and had questions regarding the language "Eminent Domain" being a clause reflected in the Urban Renewal Plan.

**McLaughlin** explained he will make every attempt possible to come to an agreement with the remainder of property owner(s) who have not come to an agreement. It was stressed that every attempt has to be made to resolve the issue before the Eminent Domain (power) inherent is owned by the town but does not have to use it RDA to use this power. RDA put in the design criteria the site plan has certain requirements that will address this potential project. Marlene also explained in the current permit process the parties of interests and/or abutters are made aware and can appeal the permitting process as they are submitted. Marrone wants to make sure all residents can live peacefully in their homes. The 20 year time frame was questioned as to who will be responsible if after 20 years this project has not been complete and/or the current developers walked away. Marlene explained there would be no cost to the town should this actually occur.

**Hewins** – discussed the Sustainable Development/Smart Growth Principles implemented as design controls emphasized in the Urban Renewal Plan going a long way towards satisfying DHCD's requirement for accepting the plan. Hewins would like to see language of the 43B in the plan be adopted.

**Marlene** explained that the adoption of 43B is reflected on page 48. She would also like the public to know that hazardous site work are being cleaned up and will no longer be an issue.

**Hewins** – discussed the concern of solar roof-mounted arrays to support environmental responsibility and green design noted in the plan.

**RDA** had a lengthy discussion about the solar arrays, noting growth mounted solar is allowed and is noted on the roof control purposes.

**Hewins** suggested the plan de-emphasize or remove discussion of Principles 6 & 7; # 6 "Expanding Housing Opportunities" - #7 "Provide Transportation Choices.

**Hewins & Dunham** expressed the concern around the language noted on pages 56, 57 & 58 around "Sources of Funding & Project Budget" aspects of the plan, possible costs to the town. A proposed amendment to the Carver RDA Urban Renewal Plan was offered to make a motion to amend the plan.

**Dunham** made a motion to amend the Urban Renewal Plan to reflect the following, 2<sup>nd</sup> by Marrone:

The town of carver shall not be required to pay any of the plan costs.

This amendment will be added to page 56 immediately following "as well as private sources, to effectuate the North Carver URP".

This amendment is to be placed at the bottom of the "Project Budget" found on page 57.

This amendment is to be added to page 57 at the end of the last paragraph on that page.

**Vote: 5 – 0**

**Clarke** suggested the Board of Selectmen to review the process. Dunham identified who should speak at the public hearing and noted how it should be held in an orderly fashion as noted below:

1. RDA (Redevelopment Authority)
2. Planning Board (for consistency with master plan) (already voted on the 12/27<sup>th</sup>)
3. Carver Residents that own land/property within the proposed urban area, with first priority to residents in the URP.
4. Non-Carver residents with property within the URP
5. Carver residents outside the URP
6. Plympton residents
7. Anyone other person(s) who would like to speak

5 minutes per person not counting any questions BOS may have.

No shouting or outburst from the audience (must follow Carver Code of Conduct)

No name calling or insults

Anyone who violates will be asked to leave by the Chairman

**OPEN PUBLIC SPEAKERS:** 17 people signed up to speak

**Carver residents within the UPR:**

**David Barofski** – owner of 8 acres of commercial land expressed he does not think there is a figure offered to him that will satisfy him to sell his land after paying taxes all these years.

**Bruce Tusher** – expressed his feelings a choice to sell or be taken by eminent domain from the town and is concerned for the people of the town who are put in this position by town government. He noted the residents should have faith in this government.

**Karen Tusher** – questioned if the building(s) and/or businesses will have to go through all the permitting processes that are currently in place.

**Dunham** – answered they will go through all the same processes and Marlene also explained the State will also be involved.

**Dunham** – the land in South Carver possibly being in this same process in the future there are bog owners, wetlands, there is a very small area that could be potentially affected.

**Carver residents:**

**John Bonasari** –noted he is not opposed to this project or development, he is opposed to the eminent domain power being given to a private developer.

**Benjamin Dexter** – he also noted he is not opposed to development, his concern is the potential to take land for the development itself and believes it is morally wrong. Is angry the affected owners could have land taken.

**Bill Duggan** – expressed that taking land from a private citizen to give to another for profit is wrong. Remove “eminent domain” out of the plan and he believes the project can still go forth.

**Robert Belbin** – noted he was disappointed and he did not see a plan nor was there one available to him and the Urban Renewal Plan itself is not available to the public.



**Dunham** – noted that it is and has been on the website for a while with months of detailed discussion in public meetings and reported in the Carver Reporter.

**Belbin** – concerned with the size of a million square foot business is a very big building. The traffic, the trucks, in the area. It may be a safety issue. 1100 employees, 1100 cars coming into town, going through that interchange. He hopes the board will vote against this and feels the residents are more against it than for it.

**Hewins** – questioned if the language “eminent domain” could be taken out of the plan.

**Marlene** - The term “eminent domain” cannot be removed if working under 121B project.

**Savery Moore** – expressed understanding the concerns the people speaking before him with their concern eminent domain is frightening and could affect their residents lives in the future. He noted by voting yes potential to see tax benefits to the residents of carver.

**Plympton residents: (Heathers Path or abutters to the project or Montello St.**

**Kristin Kirkland** – she had an issue with Mr. McLaughlin, the Developer, saying that Plympton residents don’t matter. She also stated she has attended all the meetings noting Plympton residents do matter.

**Gordon Massingham** – expressed his concerns regarding the following issues:  
The number of meetings held during Holiday weeks suggesting they were hurried  
Marketing Plan going to a warehouse. He also pointed out the amount of water needed for this project would come from.

**Jean Winslow** – suggested the developer does not offer the residents affected anything. Her concern was all the concern regarding all the additional road traffic. She also noted the lack of effort to make Plympton’s residents aware of this plan.

**Kathy Figaro** – noted the plan will devalue her property. She also acknowledged the tower she will now have to look out at and development traffic. She owns a house farm and does not want to see this go in.

**Melissa Singlartary** – reiterated what Jean said. She implored the board to think about this voting yes.

**Richard Jackson** – questioned how does the decadent area and blighted apply to the Urban Renewal Law law.

**Marlene** – explained early in the process Dec. 2015 the representative from DHDC did come and toured the site with the RDA. DHDC provided feedback after receiving the plans from the RDA. DHDC agreed with the Urban Renewal Plan.

**Dunham** asked for a motion to close the meeting

**Hewins** would like a motion made to delay the closing the Public Hearing Process to give the public time to read the plan. There was no 2<sup>nd</sup>.

**Dunham** asked for a motion to be made to end the Public Hearing Process portion of the meeting to be adjourn at 11:20pm.

**Marrone** made the motion to end the Public Hearing Process meeting, 2<sup>nd</sup> by Robertson  
Meeting was turned over to Chairman Clarke

**Clarke** asked the Board if they had any more questions.

**Marrone** – noted her biggest concern is that 121B is not being able to remove eminent domain. She also noted she’s was under the impression that people had come together and agreed on

this plan. She suggested jobs aren't guaranteed and she has still has concerns with the North Carver Water District as it stands currently. She is not convinced to make a vote tonight.

**Hewins** – stated there is a lot to think about, it took her a while to understand the Urban Renewal Plan there is a lot to digest. She asked if the Board could postpone the vote allowing them more time to think it over.

**Hewins** made a motion to delay the vote night, No 2<sup>nd</sup>.

**Dunham** noted to Hewins he did not 2<sup>nd</sup> Hewins motion in delaying the vote because people will want to know tonight. Also noted again eminent domain is the absolute last resource. The developer is willing to work with all affected to get rid of the eminent domain happening. He also noted how the taxes have gone up along with this eminent domain. Without doing anything with this land there is no chance to have a shot to bring in revenue. He noted he can live with the vote to help by reducing the taxpayers for the town of Carver.

**Hewins** – wanted to note that the amendment made that should this project fail the taxpayers will not be affected.

**Clarke** – thanks the RDA for all their work and for making the plan available to the public. It's been in the process for a little over a year ago. Clarke thought this vote would be happening back in October, it was not rushed. Didn't agree with the eminent domain language the state acquired. The property has been lying dormant for years. If there is commercial development best to be on the outskirts of the town. He firmly believes eminent domain is a possibility but takes McLaughlin word he will do everything to omit that from happening. The opportunity in an isolated portion of town land to make it available to make revenue for the town of Carver. If residents of Carver were against this project this room would overwhelmed with residents – it is not.

**Dunham** asked to make a motion for this vote to be made by Role call, 2<sup>nd</sup> by Marrone.

**Dunham** made the motion to approve the Urban Renewal Plan by Role call, 2<sup>nd</sup> by Clarke

**ROLE CALL:**

**Dunham** - Yes

**Hewins** -Yes

**Clarke** - Yes

**Marrone** - No

**Robertson** - Yes

**Clarke** made a motion to adjourn the meeting, 2<sup>nd</sup> by Dunham at 11:44pm.

**VOTE: -4-1**

**Public Hearing Notice Transmittal to the  
Massachusetts Historical Commission**



# **TOWN OF CARVER**

## **Permitting Departments**

108 Main Street, Carver, MA 02330

508-866-3450

### **Public Hearing Notice**

In accordance with the provisions of Massachusetts General Laws, Chapter 121B, the Carver Board of Selectmen will hold a public hearing on

**January 5, 2017 at 7:00 PM**

**In the Carver Town Hall, Meeting Room #1**

On the request of the Carver Redevelopment Authority relating to the proposed Urban Renewal Plan affecting approximately 300-acres located off Montello Street in North Carver.

Any persons interested and wishing to be heard should appear at the time and place designated. A copy of the plan is on file at the Planning Department and may be reviewed during normal business hours.

Carver Board of Selectmen  
Ron Clarke, Chair

Carver Reporter Publish Dates: December 16 and 23, 2016



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Secretary of the Commonwealth  
Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125-3314.



9590 9403 0355 5163 8528 97

7015 0640 0004 2665 5276

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

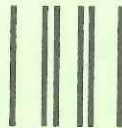
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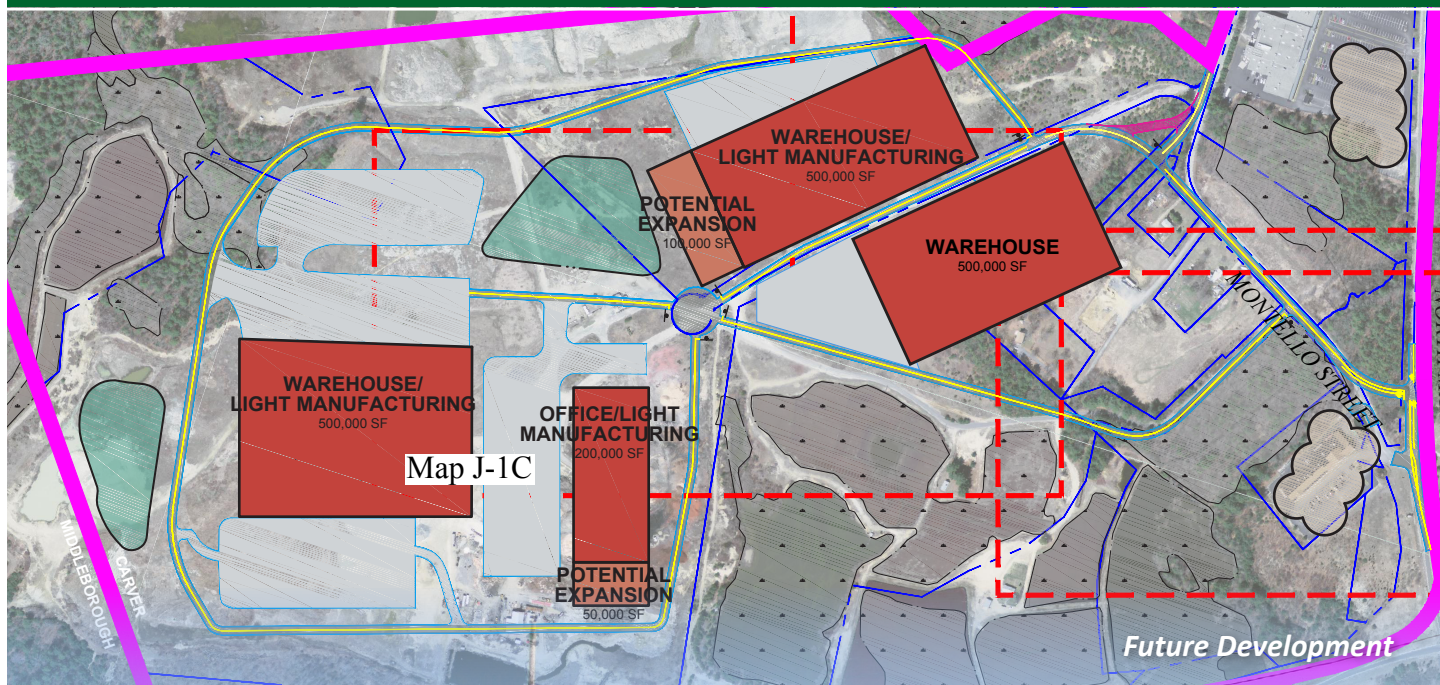


## **Expanded Environmental Notification Form**

**(Attachment B - Urban Renewal Plan Removed)**



# NORTH CARVER DEVELOPMENT AND URBAN RENEWAL PLAN



**Langdon  
Environmental LLC**

Two Summer Street, Suite 300  
Natick, MA 01760  
508-545-0333

in association with

**Epsilon**  
ASSOCIATES INC.

3 Mill & Main Place, Suite 250  
Maynard, MA 01754

January 31, 2017





Michael Milanoski  
Town Administrator

## BOARD OF SELECTMEN

Elaine Weston  
Ass't. to Town Administrator

108 Main Street  
Carver, MA 02330  
Telephone: 508-866-3401/Fax: 508-866-4213

January 31, 2017

Mr. Mathew A. Beaton  
Secretary of Environmental Affairs  
Attention: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, Massachusetts 02114

Subject: Expanded Environmental Notification Form – North Carver Development and Urban  
Renewal Plan

Dear Secretary Beaton:

Attached is the Expanded Environmental Notification Form (EENF) submitted on behalf of the Town of Carver Redevelopment Authority for the development of an approximately 300-acre site in the northwest corner of Carver. This site has been identified by the Town and regional planning groups for over 20-years as the primary location for large-scale commercial development in Carver. To facilitate the anticipated development, the Town has made a significant investment in developing the North Carver Water District to provide an adequate water supply to this Site and surrounding areas.

Over the past year, the Redevelopment Authority has undertaken an extensive public process to develop an Urban Renewal Plan (URP) pursuant to MGL ch. 121B. In the attached document, the Redevelopment Authority is requesting that you grant a Phase I Waiver to allow the Department of Housing and Community Development (DHCD) to approve the URP and permit certain initial tasks related to its implementation to move forward. These initial steps will allow the Redevelopment Authority to begin the process of converting this blighted, underutilized site into a viable development while the remaining environmental impacts are evaluated and mitigation approaches are finalized.

We look forward to working with you and your staff during the MEPA review of this important project. Please do not hesitate to contact Marlene McCollem, Planning Director at (508) 866-3450 if you have any questions or require any further information.

Sincerely,

Michael R. Milanoski  
Town Administrator

cc: Distribution List (Attachment F)

**Commonwealth of Massachusetts**  
**Executive Office of Energy and Environmental Affairs**  
**Massachusetts Environmental Policy Act (MEPA) Office**

**Environmental Notification Form**

*For Office Use Only*

EEA#: \_\_\_\_\_

MEPA Analyst: \_\_\_\_\_

*The information requested on this form must be completed in order to submit a document electronically for review under the Massachusetts Environmental Policy Act, 301 CMR 11.00.*

**Project Name: North Carver Development and Urban Renewal Plan**

**Street Address: Off Route 58 and Montello Street**

**Municipality: Carver**

**Watershed: Taunton**

**Universal Transverse Mercator Coordinates:  
Zone 19T**

**Latitude: 41° 55' 35" N**

**Longitude: 70° 49' 13" W**

**4643328.8 Northing/ 349165.9 Easting**

**Estimated commencement date: Jan 2018**

**Estimated completion date: July 2022**

**Project Type: Commercial**

**Status of project design: 5 %complete**

**Proponent: Carver Redevelopment Authority**

**Street Address: 108 Main Street**

**Municipality: Carver**

**State: MA**

**Zip Code: 02330**

**Name of Contact Person: Marlene McCollem**

**Firm/Agency: Town of Carver, Department of  
Community Planning & Development**

**Street Address: Town Hall, 108 Main Street**

**Municipality: Carver**

**State: MA**

**Zip Code: 02330**

**Phone: 508 866-3450**

**Fax:**

**E-mail: Marlene.McCollem@carverma.org**

**Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?**

☒ **Yes** ☐ **No**

**If this is an Expanded Environmental Notification Form (ENF) (see 301 CMR 11.05(7)) or a Notice of Project Change (NPC), are you requesting:**

**a Single EIR? (see 301 CMR 11.06(8))**

☐ **Yes** ☒ **No**

**a Special Review Procedure? (see 301CMR 11.09)**

☐ **Yes** ☒ **No**

**a Waiver of mandatory EIR? (see 301 CMR 11.11)**

☐ **Yes** ☒ **No**

**a Phase I Waiver? (see 301 CMR 11.11)**

☒ **Yes** ☐ **No**

**(Note: Greenhouse Gas Emissions analysis must be included in the Expanded ENF.)**

**Which MEPA review threshold(s) does the project meet or exceed (see 301 CMR 11.03)?**

Site development is expected to meet or exceed the following:

Mandatory EIR Thresholds:

301 CMR 11.03(1)(a)2 - Creation of ten or more acres of impervious area.

301 CMR 11.03(6)(a)6 - Generation of 3,000 or more new trips on roadways providing access to a single location.

301 CMR 11.03(6)(a)7 - Construction of 1,000 or more new parking spaces at a single location

ENF Threshold:

301 CMR 11.03(1)(b)7 – Approval in accordance with MGL c. 121B of a New Urban Renewal Plan or major modification of an existing Urban Renewal Plan.

**Which State Agency Permits will the project require?**

Anticipated permits include:

- From MassDEP - Groundwater Discharge Permit (310 CMR 5.00), Corrective Action Design (CAD) Permit (310 CMR 19.000)
- From MassDOT – Highway Access Permit
- From Department of Housing and Community Development – Approval of Urban Renewal Plan

**Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres:**

The current agreement between the Carver Redevelopment Authority and the selected redeveloper requires that the redeveloper fund all the costs associated with implementing the North Carver Urban Renewal Plan (URP) including the proposed development described in this EENF. The Carver Redevelopment Authority will work with the selected redeveloper to implement the North Carver URP including applying for financial assistance from Agencies of the Commonwealth. Specific potential sources of State financial assistance have not been identified to date.

Summary of Project Size & Environmental Impacts	Existing	Change	Total
<b>LAND</b>			
Total site acreage	301.4		
New acres of land altered		0	
Acres of impervious area	5±	85±	90±
Square feet of new bordering vegetated wetlands alteration		≤5000 ft <sup>2</sup>	
Square feet of new other wetland alteration		0	
Acres of new non-water dependent use of tidelands or waterways		0	
<b>STRUCTURES</b>			
Gross square footage	<30,000	+1.9M±	1.9M+
Number of housing units	5	-4	1
Maximum height (feet)	20±	+25±	45±
<b>TRANSPORTATION</b>			
Vehicle trips per day	235 – Montello St. 12,140 – Route 58	+3,000± – Montello Street	3,200± - Montello Street
Parking spaces	<10	+2,400±	2,400±
<b>WASTEWATER</b>			
Water Use (Gallons per day)	Unknown	+29,000 gpd	+29,000 gpd
Water withdrawal (GPD)	Unknown	Remove all private wells	0 gpd
Wastewater generation/treatment (GPD)	Unknown	+23,300 gpd (80% of water use)	+23,300 gpd
Length of water mains (miles)	0	+1.3 miles	1.3 miles
Length of sewer mains (miles)	0	+0.5 miles (on-Site)	0.5 miles
Has this project been filed with MEPA before? <input type="checkbox"/> Yes (EEA # _____) <input checked="" type="checkbox"/> No			
Has any project on this site been filed with MEPA before? <input checked="" type="checkbox"/> Yes (EEA # <u>12228</u> ) <input type="checkbox"/> No			



**GENERAL PROJECT INFORMATION – all proponents must fill out this section**

**PROJECT DESCRIPTION:**

**Describe the existing conditions and land uses on the project site:**

The Project Site (Site) is within the limits of the properties that comprise the North Carver Urban Renewal Plan (URP) developed by the Proponent and included as Attachment B. The Site is in the northwest corner of the Town of Carver within the approximate rectangular area formed by the municipal boundary with the Town of Middleborough to the west, the Town of Plympton to the north, Route 58 to the east and Route 44 to the south. The total Site area is approximately 301.4-acres (see Figure 1 – Site Locus in Attachment A).

Most of the Site is currently blighted, underutilized property including a large parcel (127 acres) that is a depleted sand and gravel operation (former Route 44 Sand & Gravel operation or the former Whitworth property). There are also residential homes located along Montello Street, existing cranberry bogs (including a water reservoir used to maintain water levels in the bogs), and two existing retail developments located within the limits of the Site. In addition to the cranberry bogs, there are wetland resource areas in the southeastern portion of the Site associated a perennial stream and along the southern portion of the former Route 44 Sand & Gravel operation (see Figure 2 for an aerial photograph of the Site and surrounding areas and Figure 3 for current land uses. Both figures are in Attachment A).

More detailed information on existing conditions and land uses of the Site is provided in Attachment C – Project Narrative.

**Describe the proposed project and its programmatic and physical elements:**

Over the past year, the Proponent has held numerous public meetings to prepare the North Carver URP document under MGL Chapter 121B (Attachment B). The URP outlines the Town's vision to "...capitalize on the strategic location of this particular area of North Carver for long-term economic development purposes. The Town envisions the private redevelopment of the area for modern, attractive and sustainable facilities for warehousing and distribution, light manufacturing and office uses, as well as future commercial and retail development." The URP was approved by the Carver Board of Selectmen after a public hearing held on January 5, 2017. The Proponent is requesting that the Secretary of Energy and Environment issue a Phase I Waiver pursuant to section 301 CMR 11.11 of the MEPA Regulations allowing Department of Housing and Community Development (DHCD) to approve the URP and certain initial steps be allowed to proceed before MEPA review for the future development scenario is completed. Due to the request for a Phase I Waiver, the Proponent has submitted an Expanded Environmental Notification Form (EENF). We understand that an EENF typically requires a greenhouse gas (GHG) emissions analysis, however because the Waiver request is for an Agency action and related activities and does not include activities with material GHG emissions, the GHG emission analysis will be presented in the Draft Environmental Impact Report (DEIR) when greater project specificity will be known and GHG emissions can be better quantified.

The proposed future uses include development of large warehouse, office and/or light manufacturing with appurtenant paved parking areas and access roads. The conceptual development presented to the public as part of the URP process showed up to 1.85 million ft<sup>2</sup> of new buildings and an estimated 50± additional acres of new parking and new roadways. The conceptual proposed uses described herein are consistent with the current Green Business Park

zoning. Initial estimates are that the new development will generate up to 3,000± additional vehicle round-trips and 2,400± new parking spaces. A conceptual plan for this development is shown as Map I in the URP (Attachment B).

More detailed information on the proposed project including its elements, direct and indirect impacts and infrastructure requirements is provided in Attachment C.

*NOTE: The project description should summarize both the project's direct and indirect impacts (including construction period impacts) in terms of their magnitude, geographic extent, duration and frequency, and reversibility, as applicable. It should also discuss the infrastructure requirements of the project and the capacity of the municipal and/or regional infrastructure to sustain these requirements into the future.*

**Describe the on-site project alternatives (and alternative off-site locations, if applicable), considered by the proponent, including at least one feasible alternative that is allowed under current zoning, and the reasons(s) that they were not selected as the preferred alternative:**

The proposed development project has been the focus of Town planning and actions for over 20-years. During this time, portions of the Site have been used for a wood processing facility and a septage disposal facility. The Proponent and the landowner of the former Route 44 Sand & Gravel property have discussed the following alternatives for the future development and use of the Site:

- Alternative 1- No Build / Reclamation of Excavated Sand Pit: This alternative involves (1) importing and placing appropriate soils in a manner consistent with MassDEP's COMM-15-001 Soils Policy on the portions of the Site that were the former Route 44 Sand & Gravel operation and (2) leaving the remainder of the Site in its current state. Under this alternative, the Site would be permitted to maximize the quantity of soils accepted at the former Route 44 Sand & Gravel properties and leave a grassed stabilized hill with limited future development potential. This alternative is allowed under current zoning and requires a Special Permit from the Town of Carver Planning Department. As identified in over 20-years of Town planning documents, this alternative is not the highest and best use of the Site, and although the reclamation process would improve its current condition, this alternative does not advance the interests of the Town. For this reason, this alternative is not being pursued at this time.
- Alternative 2- Woodwaste Landfill or Other Solid Waste Use: Most of the former Route 44 Sand & Gravel property was Site Assigned in 1986 pursuant to 310 CMR 16.00 for a "woodwaste landfill" and a portion of the Site was historically operated as a stump dump. The existence of the Site Assignment could be modified and other MassDEP permits obtained to allow for a large-scale woodwaste landfill or another solid waste-related use. Like Alternative 1, this alternative is not the highest and best use of the Site does not advance the Town's interests for a sustainable development of the Site. Therefore, this alternative is not being pursued at this time.
- Alternative 3 - Commercial Development per Current Zoning: Most of the Site is currently zoned "Green Business Park" by the Town of Carver. This zoning designation allows for a variety of commercial developments including office space, light manufacturing, large-scale wholesale warehouses or research and development facilities. These are potential alternatives for development of the Site and an example build-out alternative is shown on

the conceptual plan included on Map I in the North Carver URP (Attachment B). The proposed development for this alternative can be implemented with improvements to site vehicular access; with buildings and facilities that incorporate sustainable design; and minimizing impacts to nearby receptors including residential and commercial abutters and on-Site wetland resource areas. Implementing this alternative will provide long-term benefits to the Town. This is the alternative that has been selected by the Proponent to be advanced and evaluated.

There are no off-site alternatives for this project.

**NOTE:** *The purpose of the alternatives analysis is to consider what effect changing the parameters and/or siting of a project, or components thereof, will have on the environment, keeping in mind that the objective of the MEPA review process is to avoid or minimize damage to the environment to the greatest extent feasible. Examples of alternative projects include alternative site locations, alternative site uses, and alternative site configurations.*

Summarize the mitigation measures proposed to offset the impacts of the preferred alternative:

Mitigation associated with approval by DHCD is as outlined in the URP included in Attachment B. There are no further impacts or mitigation measures required to finalize the URP or begin its implementation (e.g. acquisition of parcels and creation of development parcels).

During construction of the final development, there will be a series of mitigation measures including controls for noise, traffic, hours of construction activity, dust, and stormwater run-off. These construction mitigation approaches will be outlined in the DEIR and will be approved by the local boards and commissions before the start of construction activities.

The final development has potential impacts related to traffic, noise, lighting, aesthetics, energy usage, stormwater run-off quantity and quality, wetland resource areas, lighting and GHG emissions. The general approaches to mitigating each of these impacts is provided in the project narrative in Attachment C and will be presented further in the DEIR.

If the project is proposed to be constructed in phases, please describe each phase:

The Project will be comprised of multiple phases as outlined below. The eventual development of the Site will likely also be completed in phases as potential Site users are identified and complete the local permit and approval process. The currently identified phases of the project are as described below.

- Urban Renewal Plan Approval. The Proponent is requesting a Phase I Waiver under the MEPA regulations to allow DHCD to approve the URP prior to completing the remainder of the MEPA process. The Phase I waiver is limited to this state agency action and related administrative activities that will allow the proposed development parcel to be assembled and prepared as discussed in the Project Narrative provided in Attachment C. This will allow the Proponent to work with developers and property owners to begin the process of assembling properties both for development and to reconfigure vehicle access along Montello Street.

- Infrastructure and Site Preparation. After the MEPA process is completed, the initial phase of development will be implementing the necessary infrastructure improvements including the new roadway layout along Montello Street including the intersection with Route 58 (note that it is anticipated that potential access configurations will be evaluated during the MEPA process); provision of public water to the Site from the North Carver Water District; upgrades and extensions to the existing electric and gas utilities; and construction of initial stormwater controls and subsurface wastewater disposal facilities. This phase may also include the development of facilities for initial site user(s).
- Future Development Phases: Final development uses have not been determined. The Site will be developed for commercial uses in accordance with market demands and in a manner consistent with the approved URP. The ultimate schedule for Site development will be determined as users are identified and project planning and design is advanced. A range of potential development scenarios are currently envisioned estimate potential impacts from potential site uses are estimated in this EENF. The potential proposed uses will be described in greater detail in the DEIR.

**AREAS OF CRITICAL ENVIRONMENTAL CONCERN:**

Is the project within or adjacent to an Area of Critical Environmental Concern?

☐ Yes (Specify \_\_\_\_\_)

☒ No

if yes, does the ACEC have an approved Resource Management Plan? \_\_\_\_ Yes \_\_\_\_ No;

If yes, describe how the project complies with this plan.

Will there be stormwater runoff or discharge to the designated ACEC? \_\_\_\_ Yes \_\_\_\_ No;

If yes, describe and assess the potential impacts of such stormwater runoff/discharge to the designated ACEC.

**RARE SPECIES:**

Does the project site include Estimated and/or Priority Habitat of State-Listed Rare Species? (see [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/priority\\_habitat/priority\\_habitat\\_home.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/priority_habitat_home.htm))

☐ Yes (Specify \_\_\_\_\_) ☒ No

**See Letter from Natural Heritage and Endangered Species in Attachment D.**

**HISTORICAL /ARCHAEOLOGICAL RESOURCES:**

Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

☐ Yes (Specify \_\_\_\_\_) ☒ No

**See letter from Massachusetts Historic Commission in Attachment D.**

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? ☐ Yes (Specify \_\_\_\_\_) ☐ No



**WATER RESOURCES:**

Is there an Outstanding Resource Water (ORW) on or within a half-mile radius of the project site? \_\_\_\_ Yes

X No;

if yes, identify the ORW and its location. \_\_\_\_\_

*(NOTE: Outstanding Resource Waters include Class A public water supplies, their tributaries, and bordering wetlands; active and inactive reservoirs approved by MassDEP; certain waters within Areas of Critical Environmental Concern, and certified vernal pools. Outstanding resource waters are listed in the Surface Water Quality Standards, 314 CMR 4.00.)*

Are there any impaired water bodies on or within a half-mile radius of the project site? \_\_\_\_ Yes X No; if yes, identify the water body and pollutant(s) causing the impairment: \_\_\_\_\_.

Is the project within a medium or high stress basin, as established by the Massachusetts Water Resources Commission? X Yes \_\_\_\_ No

**STORMWATER MANAGEMENT:**

Generally describe the project's stormwater impacts and measures that the project will take to comply with the standards found in MassDEP's Stormwater Management Regulations:

A Stormwater Pollution Prevention Plan (SWPPP) will be prepared to identify means and measures to control construction period stormwater runoff during each construction activity to comply with the USEPA NPDES Construction General Permit requirements. The final development and construction activities will comply with MassDEP's Stormwater Management Regulations and Policies. Given the soil types, it is anticipated that stormwater controls will primarily rely on on-site infiltration. The Proponents will also implement low-impact development methods to maximize infiltration and on-site re-use of stormwater. The specific approach for stormwater for the developed property will be presented in the DEIR.

**MASSACHUSETTS CONTINGENCY PLAN:**

Has the project site been, or is it currently being, regulated under M.G.L.c.21E or the Massachusetts Contingency Plan? Yes X No \_\_\_\_ ; if yes, please describe the current status of the site (including Release Tracking Number (RTN), cleanup phase, and Response Action Outcome classification):

Several Release Tracking Numbers (RTNs) are associated with the project Site. See Attachment C for information and the status of these RTNs.

Is there an Activity and Use Limitation (AUL) on any portion of the project site? Yes \_\_\_\_ No X ; if yes, describe which portion of the site and how the project will be consistent with the AUL:

\_\_\_\_\_.

Are you aware of any Reportable Conditions at the property that have not yet been assigned an RTN? Yes \_\_\_\_ No X ; if yes, please describe: \_\_\_\_\_

**SOLID AND HAZARDOUS WASTE:**

If the project will generate solid waste during demolition or construction, describe alternatives considered for re-use, recycling, and disposal of, e.g., asphalt, brick, concrete, gypsum, metal, wood:

Existing piles of solid waste materials including concrete on the former Route 44 Sand & Gravel property have been consolidated by type and will be either processed on-site for re-use as construction materials (e.g. untreated concrete) or removed to an appropriate recycling facility (e.g. metals). A limited quantity of solid waste that could not be recycled was removed for disposal at a licensed disposal facility. There was no hazardous waste handled during this clean-up process.

During construction of the utility installation and of the final development, a Construction Waste Management Plan will be to ensure that a minimal amount of solid waste debris is disposed of in landfills and to pursue the goal of diverting project-generated construction waste from landfills. For those materials that cannot be recycled, solid waste will be transported in covered trucks to an approved solid waste disposal facility, per the MassDEP's regulations

*(NOTE: Asphalt pavement, brick, concrete and metal are banned from disposal at Massachusetts landfills and waste combustion facilities and wood is banned from disposal at Massachusetts landfills. See 310 CMR 19.017 for the complete list of banned materials.)*

Will your project disturb asbestos containing materials? Yes \_\_\_ No X ;

Asbestos containing materials (ACM) were not identified during an inventory of existing debris piles on the former Route 44 Sand & Gravel property. If asbestos containing materials are encountered during future construction activities, they will be managed in accordance with OSHA and MassDEP requirements.

if yes, please consult state asbestos requirements at <http://mass.gov/MassDEP/air/asbhom01.htm>

Describe anti-idling and other measures to limit emissions from construction equipment:

The Project Proponents will require all contractors to reduce potential emissions and minimize impacts from construction vehicles as described in ENF Attachment C.

**DESIGNATED WILD AND SCENIC RIVER:**

Is this project site located wholly or partially within a defined river corridor of a federally designated Wild and Scenic River or a state designated Scenic River? Yes \_\_\_ No X ;  
if yes, specify name of river and designation:

If yes, does the project have the potential to impact any of the "outstandingly remarkable" resources of a federally Wild and Scenic River or the stated purpose of a state designated Scenic River? Yes \_\_\_ No \_\_\_ ; if yes, specify name of river and designation: \_\_\_\_\_;  
if yes, will the project will result in any impacts to any of the designated "outstandingly remarkable" resources of the Wild and Scenic River or the stated purposes of a Scenic River.  
Yes \_\_\_ No \_\_\_ ;  
if yes, describe the potential impacts to one or more of the "outstandingly remarkable" resources or stated purposes and mitigation measures proposed.

**ATTACHMENTS:**

1. List of all attachments to this document.

Attachment A – Figures

Attachment B – Urban Renewal Plan as Submitted to DHCD (electronic copy)

Attachment C – Project Narrative

Attachment D – Project Correspondence

Attachment E – Municipal and Federal Permits Required for Project

Attachment F – Agencies and Persons Receiving Copy of ENF

2. U.S.G.S. map (good quality color copy, 8-½ x 11 inches or larger, at a scale of 1:24,000) indicating the project location and boundaries. **See Figure 1 in Attachment A.**
- 3.. Plan, at an appropriate scale, of existing conditions on the project site and its immediate environs, showing all known structures, roadways and parking lots, railroad rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities. **See Figures 2 and 3 in Attachment A.**
- 4 Plan, at an appropriate scale, depicting environmental constraints on or adjacent to the project site such as Priority and/or Estimated Habitat of state-listed rare species, Areas of Critical Environmental Concern, Chapter 91 jurisdictional areas, Article 97 lands, wetland resource area delineations, water supply protection areas, and historic resources and/or districts. **See Figure 4 in Attachment A.**
5. Plan, at an appropriate scale, of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase). **See Conceptual Site Plans included as Map I in URP (Attachment B).**
6. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2). **See Attachment F.**
7. List of municipal and federal permits and reviews required by the project, as applicable. **See Attachment E.**

**LAND SECTION – all proponents must fill out this section**

**I. Thresholds / Permits**

- A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1) X Yes \_\_\_ No; if yes, specify each threshold:

**310 CMR 11.03(1)(a)(2) – Creation of 10 or more acres of impervious area**  
**310 CMR 11.03(1)(b)(7) – Approval in accordance with MGL c. 121B of a New Urban Renewal Plan or major modification of an existing Urban Renewal Plan**

**II. Impacts and Permits**

- A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	<u>10± acres</u>	<u>+42 acres</u>	<u>52 acres</u>
Internal roadways (paved)	<u>2± acres</u>	<u>+15 acres</u>	<u>17 acres</u>
Parking and other paved areas	<u>10± acres</u>	<u>+40 acres</u>	<u>50 acres</u>
Other altered areas	<u>271 acres</u>	<u>-100 acres</u>	<u>166 acres</u>
Undeveloped areas	<u>8± acres</u>	<u>0 acres</u>	<u>8± acres</u>
<b>Total: Project Site Acreage</b>	<b>301 acres</b>	<b>301 acres</b>	<b>301 acres</b>

- B. Has any part of the project site been in active agricultural use in the last five years?  
X Yes \_\_\_ No; if yes, how many acres of land in agricultural use (with prime state or locally important agricultural soils) will be converted to nonagricultural use?

There are active cranberry bogs located along the southeastern corner of the Site. The bogs cover approximately 55 acres of the Site. In accordance with the URP, these bogs will not be developed in the future.

- C. Is any part of the project site currently or proposed to be in active forestry use?  
\_\_\_ Yes X No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a forest management plan approved by the Department of Conservation and Recreation:
- D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? \_\_\_ Yes X No; if yes, describe:
- E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction?  
\_\_\_ Yes X No; if yes, does the project involve the release or modification of such restriction? \_\_\_ Yes \_\_\_ No; if yes, describe:
- F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A? \_\_\_ Yes X No; if yes, describe.
- G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes X No \_\_\_; if yes, describe:

The Proponent (Carver Redevelopment Authority) has developed the attached Urban Renewal Plan. The Urban Renewal Plan that has been submitted to DHCD concurrent with submission of this EENF for review and comment is included in Attachment B.



### III. Consistency

- A. Identify the current municipal comprehensive land use plan

Title: Town of Carver Master Plan, 2001

Date: July 2001

The Town prepared an Economic Development study of the Site that was completed in 2008.

The Town is in the process of updating their Master Plan and based on discussions that occurred during development of the URP, the Site will continue to be designated as a priority for economic development.

- B. Describe the project's consistency with that plan with regard to:

1) economic development: In the Master Plan, the Town identified the "Route 44 Corridor" as one of seven priority opportunity areas for economic development. This Plan indicated that the area along Route 44 is a viable site for warehouse wholesale distribution because of its convenient access to the regional highway network. The Master Plan recommended that Town establish and adopt an economic development strategy for the Route 44 Corridor targeting commercial properties in the area.

2) adequacy of infrastructure: Since the Master Plan was completed, the Town instituted the North Carver Water District to supply public water to the Project Site and the surrounding area. The availability of an adequate volume of public-water to the Site was an important constraint limiting its development in the past.

3) open space impacts: The 2001 Master Plan provides for the establishment of open space and conservation areas throughout the Town. The Project Proponents will evaluate incorporating open space areas on portions of the Project Site as appropriate.

4) compatibility with adjacent land uses: The Master Plan did not provide any specific detail on compatibility with adjacent land uses for this Site. The proposed development project will be designed and implemented in a manner that is compatible with adjacent land uses and allow for an adequate buffer with appropriate controls to residential properties in Carver and Plympton.

- C. Identify the current Regional Policy Plan of the applicable Regional Planning Agency (RPA)

RPA: Southeast Regional Planning and Economic Development District

Title: Regional Land Use: Roles, Policies, and Plan Outline for Southeastern Massachusetts

Date June 1996

D. Describe the project's consistency with that plan with regard to:

1) economic development:

The Regional Policy Plan (RPP) provided by SRPEDD states that "SRPEDD has responsibilities for enhancing the quality of life in the region including economic opportunity and environmental quality ("quality of life" refers to both pastoral open land and a low employment rate." The use of the blighted Site proposed for development will provide both short-term and long-term employment for the region while not utilizing 'pastoral open land.'

2) adequacy of infrastructure

SRPEDD states in its RPP that development is preferred in areas supported by underutilized infrastructure. As discussed in the URP (Attachment B), the development of the Site will utilize the available water supply developed by the North Carver Water District to promote development in this portion of Carver.

3) open space impacts

SRPEDD's RPP states a preference to redevelop existing sites for an industrial use compared to land use to convert farmland for such a use. It also seeks to encourage land uses that will enable the region to optimize its existing resources including cranberry bogs. As stated in the URP, the cranberry bogs on-site will not be used for development and the development of this blighted Site will not impact any regional resources.

## **RARE SPECIES SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **rare species or habitat** (see 301 CMR 11.03(2))? \_\_\_ Yes X No; if yes, specify, in quantitative terms:

See correspondence with NHESP in Attachment D.

*(NOTE: If you are uncertain, it is recommended that you consult with the Natural Heritage and Endangered Species Program (NHESP) prior to submitting the ENF.)*

- B. Does the project require any state permits related to **rare species or habitat**? \_\_\_ Yes X No

- C. Does the project site fall within mapped rare species habitat (Priority or Estimated Habitat?) in the current Massachusetts Natural Heritage Atlas (attach relevant page)? \_\_\_ Yes X No

- D. If you answered "No" to all questions A, B and C, proceed to the **Wetlands, Waterways, and Tidelands Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Rare Species section below.

### **II. Impacts and Permits**

- A. Does the project site fall within Priority or Estimated Habitat in the current Massachusetts Natural Heritage Atlas (attach relevant page)? \_\_\_ Yes \_\_\_ No. If yes,
1. Have you consulted with the Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP)? \_\_\_ Yes \_\_\_ No; if yes, have you received a determination as to whether the project will result in the "take" of a rare species? \_\_\_ Yes \_\_\_ No; if yes, attach the letter of determination to this submission.
  2. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04)? \_\_\_ Yes \_\_\_ No; if yes, provide a summary of proposed measures to minimize and mitigate rare species impacts
  3. Which rare species are known to occur within the Priority or Estimated Habitat?
  4. Has the site been surveyed for rare species in accordance with the Massachusetts Endangered Species Act? \_\_\_ Yes \_\_\_ No
  4. If your project is within Estimated Habitat, have you filed a Notice of Intent or received an Order of Conditions for this project? \_\_\_ Yes \_\_\_ No; if yes, did you send a copy of the Notice of Intent to the Natural Heritage and Endangered Species Program, in accordance with the Wetlands Protection Act regulations? \_\_\_ Yes \_\_\_ No
- B. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04)? \_\_\_ Yes \_\_\_ No; if yes, provide a summary of proposed measures to minimize and mitigate impacts to significant habitat:

## **WETLANDS, WATERWAYS, AND TIDELANDS SECTION**

### **I. Thresholds / Permits**

A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))? \_\_\_ Yes X No; if yes, specify, in quantitative terms:

B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands, waterways, or tidelands**? X Yes \_\_\_ No; if yes, specify which permit:

An ORAD was issued defining the jurisdictional status and boundaries of wetland resource areas on the former Route 44 Sand & Gravel property (Attachment D). Future work in wetland buffers zone will secure an Order of Conditions or Determination of Applicability from the Carver Conservation Commission before works begins.

C. If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

### **II. Wetlands Impacts and Permits**

A. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)? X Yes \_\_\_ No; if yes, has a Notice of Intent been filed? \_\_\_ Yes X No; if yes, list the date and MassDEP file number: \_\_\_\_\_; if yes, has a local Order of Conditions been issued? \_\_\_ Yes \_\_\_ No; Was the Order of Conditions appealed? \_\_\_ Yes \_\_\_ No. Will the project require a Variance from the Wetlands regulations? \_\_\_ Yes X No.

For any work in the 100-foot buffer zone, either an Order of Conditions or Determination of Applicability, as determined in consultation with the Carver Conservation Commission, will be obtained.

B. Describe any proposed permanent or temporary impacts to wetland resource areas located on the project site:

No permanent wetland impacts are currently anticipated. There may be limited wetland impacts related to construction of the new access roads to the development including improvements to Montello Street. Disturbed buffer zones will be restored and stabilized as approved by the Carver Conservation Commission.

C. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

<u>Coastal Wetlands</u>	<u>Area (square feet) or Length (linear feet)</u>	<u>Temporary or Permanent Impact?</u>
Land Under the Ocean	0	
Designated Port Areas	0	
Coastal Beaches	0	
Coastal Dunes	0	
Barrier Beaches	0	
Coastal Banks	0	
Rocky Intertidal Shores	0	
Salt Marshes	0	



Land Under Salt Ponds	0	
Land Containing Shellfish	0	
Fish Runs	0	
Land Subject to Coastal Storm Flowage	0	

**Inland Wetlands**

Bank (If)	<u>To be determined</u>	<u>To be determined</u>
Bordering Vegetated Wetlands	<u>To be determined</u>	<u>To be determined</u>
Isolated Vegetated Wetlands	<u>To be determined</u>	<u>To be determined</u>
Land under Water	<u>To be determined</u>	<u>To be determined</u>
Isolated Land Subject to Flooding	<u>To be determined</u>	<u>To be determined</u>
Bordering Land Subject to Flooding	0	0
Riverfront Area	<u>To be determined</u>	<u>To be determined</u>

**D. Is any part of the project:**

1. proposed as a **limited project**? \_\_\_ Yes X No; if yes, what is the area (in sf)? \_\_\_\_
2. the construction or alteration of a **dam**? \_\_\_ Yes X No; if yes, describe: \_\_\_\_\_
3. fill or structure in a **velocity zone** or **regulatory floodway**? \_\_\_ Yes X No
4. dredging or disposal of dredged material? \_\_\_ Yes X No; if yes, describe the volume of dredged material and the proposed disposal site: \_\_\_\_\_
5. a discharge to an Outstanding Resource Water (ORW) or an Area of Critical Environmental Concern (ACEC)? \_\_\_ Yes X No
6. subject to a wetlands restriction order? \_\_\_ Yes X No; if yes, identify the area (in sf): \_\_\_\_\_
7. located in buffer zones? X Yes \_\_\_ No; if yes, how much (in sf) TBD

**E. Will the project:**

1. be subject to a local wetlands ordinance or bylaw? X Yes \_\_\_ No
2. alter any federally-protected wetlands not regulated under state law? \_\_\_ Yes X No; if yes, what is the area (sf)? \_\_\_\_\_

**III. Waterways and Tidelands Impacts and Permits**

- A. Does the project site contain waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? \_\_\_ Yes X No; if yes, is there a current Chapter 91 License or Permit affecting the project site? \_\_\_ Yes \_\_\_ No; if yes, list the date and license or permit number and provide a copy of the historic map used to determine extent of filled tidelands: \_\_\_\_\_
- B. Does the project require a new or modified license or permit under M.G.L.c.91? \_\_\_ Yes X No; if yes, how many acres of the project site subject to M.G.L.c.91 will be for non-water-dependent use? Current \_\_\_ Change \_\_\_ Total \_\_\_  
 If yes, how many square feet of solid fill or pile-supported structures (in sf)? \_\_\_\_\_
- C. For non-water-dependent use projects, indicate the following:  
 Area of filled tidelands on the site: N/A  
 Area of filled tidelands covered by buildings: N/A  
 For portions of site on filled tidelands, list ground floor uses and area of each use: \_\_\_\_\_  
N/A  
 Does the project include new non-water-dependent uses located over flowed tidelands?  
 Yes \_\_\_ No X  
 Height of building on filled tidelands \_\_\_\_\_

Also show the following on a site plan: Mean High Water, Mean Low Water, Water-dependent Use Zone, location of uses within buildings on tidelands, and interior and exterior areas and facilities dedicated for public use, and historic high and historic low water marks.

- D. Is the project located on landlocked tidelands? \_\_\_ Yes **X** No; if yes, describe the project's impact on the public's right to access, use and enjoy jurisdictional tidelands and describe measures the project will implement to avoid, minimize or mitigate any adverse impact:
- E. Is the project located in an area where low groundwater levels have been identified by a municipality or by a state or federal agency as a threat to building foundations? \_\_\_ Yes **X** No; if yes, describe the project's impact on groundwater levels and describe measures the project will implement to avoid, minimize or mitigate any adverse impact:
- F. Is the project non-water-dependent **and** located on landlocked tidelands **or** waterways or tidelands subject to the Waterways Act **and** subject to a mandatory EIR? \_\_\_ Yes **X** No;

*(NOTE: If yes, then the project will be subject to Public Benefit Review and Determination.)*

- G. Does the project include dredging? \_\_\_ Yes **X** No; if yes, answer the following questions:  
What type of dredging? Improvement \_\_\_ Maintenance \_\_\_ Both \_\_\_  
What is the proposed dredge volume, in cubic yards (cys) \_\_\_\_\_  
What is the proposed dredge footprint \_\_\_\_\_ length (ft) \_\_\_\_\_ width (ft) \_\_\_\_\_ depth (ft);  
Will dredging impact the following resource areas?  
Intertidal Yes\_\_\_ No\_\_\_; if yes, \_\_\_ sq ft  
Outstanding Resource Waters Yes\_\_\_ No\_\_\_; if yes, \_\_\_ sq ft  
Other resource area (i.e. shellfish beds, eel grass beds) Yes\_ No\_; if yes \_\_\_ sq ft  
If yes to any of the above, have you evaluated appropriate and practicable steps to:  
1) avoidance; 2) if avoidance is not possible, minimization; 3) if either avoidance or minimize is not possible, mitigation?  
If no to any of the above, what information or documentation was used to support this determination?

Provide a comprehensive analysis of practicable alternatives for improvement dredging in accordance with 314 CMR 9.07(1)(b). Physical and chemical data of the sediment shall be included in the comprehensive analysis.

**Sediment Characterization**

Existing gradation analysis results? \_\_\_Yes \_\_\_No; if yes, provide results.  
Existing chemical results for parameters listed in 314 CMR 9.07(2)(b)6? \_\_\_Yes \_\_\_No; if yes, provide results.

Do you have sufficient information to evaluate feasibility of the following management options for dredged sediment? If yes, check the appropriate option.

Beach Nourishment \_\_\_  
Unconfined Ocean Disposal \_\_\_  
Confined Disposal:  
    Confined Aquatic Disposal (CAD) \_\_\_  
    Confined Disposal Facility (CDF) \_\_\_  
Landfill Reuse in accordance with COMM-97-001 \_\_\_  
Shoreline Placement \_\_\_  
Upland Material Reuse\_\_\_  
In-State landfill disposal\_\_\_  
Out-of-state landfill disposal \_\_\_\_\_

*(NOTE: This information is required for a 401 Water Quality Certification.)*

**IV. Consistency:**

- A. Does the project have effects on the coastal resources or uses, and/or is the project located within the Coastal Zone? \_\_\_\_ Yes **X** No; if yes, describe these effects and the projects consistency with the policies of the Office of Coastal Zone Management:
- B. Is the project located within an area subject to a Municipal Harbor Plan? \_\_\_\_ Yes **X** No; if yes, identify the Municipal Harbor Plan and describe the project's consistency with that plan:

## **WATER SUPPLY SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? \_\_\_\_ Yes **X** No; if yes, specify, in quantitative terms:
- B. Does the project require any state permits related to **water supply**? \_\_\_\_ Yes **X** No; if yes, specify which permit:
- C. If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

### **II. Impacts and Permits**

- A. Describe, in gallons per day (gpd), the volume and source of water use for existing and proposed activities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Municipal or regional water supply	_____	_____	_____
Withdrawal from groundwater	_____	_____	_____
Withdrawal from surface water	_____	_____	_____
Interbasin transfer	_____	_____	_____

*(NOTE: Interbasin Transfer approval will be required if the basin and community where the proposed water supply source is located is different from the basin and community where the wastewater from the source will be discharged.)*

- B. If the source is a municipal or regional supply, has the municipality or region indicated that there is adequate capacity in the system to accommodate the project? \_\_\_\_ Yes \_\_\_\_ No
- C. If the project involves a new or expanded withdrawal from a groundwater or surface water source, has a pumping test been conducted? \_\_\_\_ Yes \_\_\_\_ No; if yes, attach a map of the drilling sites and a summary of the alternatives considered and the results. \_\_\_\_\_
- D. What is the currently permitted withdrawal at the proposed water supply source (in gallons per day)? \_\_\_\_\_. Will the project require an increase in that withdrawal? \_\_\_\_ Yes \_\_\_\_ No; if yes, then how much of an increase (gpd)? \_\_\_\_.
- E. Does the project site currently contain a water supply well, a drinking water treatment facility, water main, or other water supply facility, or will the project involve construction of a new facility? \_\_\_\_ Yes \_\_\_\_ No. If yes, describe existing and proposed water supply facilities at the project site:

	<u>Permitted Flow</u>	<u>Existing Avg Daily Flow</u>	<u>Project Flow</u>	<u>Total</u>
Capacity of water supply well(s) (gpd)	_____	_____	_____	_____
Capacity of water treatment plant (gpd)	_____	_____	_____	_____

- F. If the project involves a new interbasin transfer of water, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or proposed?



G. Does the project involve:

1. new water service by the Massachusetts Water Resources Authority or other agency of the Commonwealth to a municipality or water district? \_\_\_\_ Yes \_\_\_\_ No
2. a Watershed Protection Act variance? \_\_\_\_ Yes \_\_\_\_ No; if yes, how many acres of alteration?
3. a non-bridged stream crossing 1,000 or less feet upstream of a public surface drinking water supply for purpose of forest harvesting activities? \_\_\_\_ Yes \_\_\_\_ No

**III. Consistency**

Describe the project's consistency with water conservation plans or other plans to enhance water resources, quality, facilities and services:

## **WASTEWATER SECTION**

### **I. Thresholds / Permits**

A. Will the project meet or exceed any review thresholds related to wastewater (see 301 CMR 11.03(5))? \_\_\_\_ Yes **X** No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to wastewater? **X** Yes \_\_\_\_ No; if yes, specify which permit: Groundwater Discharge permit (310 CMR 5.00)

C. If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

### **II. Impacts and Permits**

A. Describe the volume (in gallons per day) and type of disposal of wastewater generation for existing and proposed activities at the project site (calculate according to 310 CMR 15.00 for septic systems or 314 CMR 7.00 for sewer systems):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Discharge of sanitary wastewater	<u>Unknown</u>	<u>+23,300 gpd</u>	<u>+23,300 gpd</u>
Discharge of industrial wastewater	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>Unknown</u>	<u>+23,300 gpd</u>	<u>+23,300 gpd</u>

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Discharge to groundwater	<u>Unknown</u>	<u>+23,300 gpd</u>	<u>+23,300 gpd</u>
Discharge to outstanding resource water	<u>0</u>	<u>0</u>	<u>0</u>
Discharge to surface water	<u>0</u>	<u>0</u>	<u>0</u>
Discharge to municipal or regional wastewater facility	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>0</u>	<u>0</u>	<u>+23,300 gpd</u>

B. Is the existing collection system at or near its capacity? \_\_\_\_ Yes **X** No; if yes, then describe the measures to be undertaken to accommodate the project's wastewater flows:

Wastewater will be disposed of on-site and will not connect to a municipal system.

C. Is the existing wastewater disposal facility at or near its permitted capacity? \_\_\_\_ Yes **X** No; if yes, then describe the measures to be undertaken to accommodate the project's wastewater flows:

Wastewater will be disposed of on-site and will not connect to a municipal system.

- D. Does the project site currently contain a wastewater treatment facility, sewer main, or other wastewater disposal facility, or will the project involve construction of a new facility?

\_\_\_ Yes X No; if yes, describe as follows:

An old septage disposal facility located at a property off Montello Street is closed and he structures and facilities have been removed.

	<u>Permitted</u>	<u>Existing Avg Daily Flow</u>	<u>Project Flow</u>	<u>Total</u>
Wastewater treatment plant capacity (in gallons per day)	_____	_____	_____	_____

- E. If the project requires an interbasin transfer of wastewater, which basins are involved, what is the direction of the transfer, and is the interbasin transfer existing or new?

Project does not require an interbasin transfer as wastewater will be treated and disposed of on-site.

*(NOTE: Interbasin Transfer approval may be needed if the basin and community where wastewater will be discharged is different from the basin and community where the source of water supply is located.)*

- F. Does the project involve new sewer service by the Massachusetts Water Resources Authority (MWRA) or other Agency of the Commonwealth to a municipality or sewer district?

\_\_\_ Yes X No

- G. Is there an existing facility, or is a new facility proposed at the project site for the storage, treatment, processing, combustion or disposal of sewage sludge, sludge ash, grit, screenings, wastewater reuse (gray water) or other sewage residual materials? \_\_\_ Yes X No; if yes, what is the capacity (tons per day):

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Treatment	_____	_____	_____
Processing	_____	_____	_____
Combustion	_____	_____	_____
Disposal	_____	_____	_____

- H. Describe the water conservation measures to be undertaken by the project, and other wastewater mitigation, such as infiltration and inflow removal.

Wastewater will be infiltrated on-Site. Proposed measures for water conservation and general design criteria for the wastewater treatment facilities will be provided in the DEIR.

### III. Consistency

- A. Describe measures that the proponent will take to comply with applicable state, regional, and local plans and policies related to wastewater management:

Future re-use will require on-site disposal of sanitary sewage. Disposing of sewage in accordance with, and securing a permit from the MassDEP in accordance with the Groundwater Discharge Program (310 CMR 5.00) is expected to comply with state policy regarding wastewater management.

- B. If the project requires a sewer extension permit, is that extension included in a comprehensive wastewater management plan? \_\_\_\_ Yes \_\_\_\_ No; if yes, indicate the EEA number for the plan and whether the project site is within a sewer service area recommended or approved in that plan:

Project does not require a sewer extension permit.





- E. Is there a Transportation Management Association (TMA) that provides transportation demand management (TDM) services in the area of the project site? \_\_\_\_ Yes X No; if yes, describe if and how will the project will participate in the TMA:
- F. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation facilities? \_\_\_\_ Yes X No; if yes, generally describe:
- G. If the project will penetrate approach airspace of a nearby airport, has the proponent filed a Massachusetts Aeronautics Commission Airspace Review Form (780 CMR 111.7) and a Notice of Proposed Construction or Alteration with the Federal Aviation Administration (FAA) (CFR Title 14 Part 77.13, forms 7460-1 and 7460-2)?

Not Applicable

### **III. Consistency**

Describe measures that the proponent will take to comply with municipal, regional, state, and federal plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services:

As part of the DEIR, the Proponent will review any municipal, regional, state and federal plans related to traffic, transit, pedestrian and bicycle transportation facilities and services as part of the evaluation of improvements to the existing roadway system necessitated by the proposed development.

**TRANSPORTATION SECTION (ROADWAYS AND OTHER TRANSPORTATION FACILITIES)**

**I. Thresholds**

- A. Will the project meet or exceed any review thresholds related to **roadways or other transportation facilities** (see 301 CMR 11.03(6))?   X   Yes      No; if yes, specify, in quantitative terms:

301 CMR 11.03(6)(a)6 - More than 3,000 average daily trips on roadways providing access to a single location

301 CMR 11.03(6)(a)7 - More than 1,000 new parking spaces at a single location

- C. Does the project require any state permits related to **roadways or other transportation facilities**?   X   Yes      No; if yes, specify which permit:

Highway Access Permit to Route 58 from Montello Street

- C. If you answered "No" to both questions A and B, proceed to the **Energy Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

**II. Transportation Facility Impacts**

- A. Describe existing and proposed transportation facilities in the immediate vicinity of the project site:

There are no existing transportation facilities in the immediate vicinity of the project site except for the existing roadway network (Montello Street, Route 58 and Route 44).

- B. Will the project involve any

- |  |                                 |
|--|---------------------------------|
| 1. Alteration of bank or terrain (in linear feet)? | <u>          TBD          </u>  |
| 2. Cutting of living public shade trees (number)?  | <u>          None          </u> |
| 3. Elimination of stone wall (in linear feet)?     | <u>          None          </u> |

- III. Consistency** -- Describe the project's consistency with other federal, state, regional, and local plans and policies related to traffic, transit, pedestrian and bicycle transportation facilities and services, including consistency with the applicable regional transportation plan and the Transportation Improvements Plan (TIP), the State Bicycle Plan, and the State Pedestrian Plan:

As part of the DEIR, the Proponent will review any municipal, regional, state and federal policies related to traffic, transit, pedestrian and bicycle transportation facilities and services as part of the evaluation of improvements to the existing roadway system necessitated by the proposed development. This will include the TIP, State Bicycle Plan and State Pedestrian Plan.

## **ENERGY SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))? \_\_\_\_ Yes **X** No; if yes, specify, in quantitative terms:
- B. Does the project require any state permits related to **energy**? \_\_\_\_ Yes **X** No; if yes, specify which permit:
- C. If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

### **II. Impacts and Permits**

- A. Describe existing and proposed energy generation and transmission facilities at the project site:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Capacity of electric generating facility (megawatts)	_____	_____	_____
Length of fuel line (in miles)	_____	_____	_____
Length of transmission lines (in miles)	_____	_____	_____
Capacity of transmission lines (in kilovolts)	_____	_____	_____

- B. If the project involves construction or expansion of an electric generating facility, what are:
1. the facility's current and proposed fuel source(s)?
  2. the facility's current and proposed cooling source(s)?
- C. If the project involves construction of an electrical transmission line, will it be located on a new, unused, or abandoned right of way? \_\_\_\_ Yes \_\_\_\_ No; if yes, please describe:
- D. Describe the project's other impacts on energy facilities and services:

### **III. Consistency**

Describe the project's consistency with state, municipal, regional, and federal plans and policies for enhancing energy facilities and services:



## **AIR QUALITY SECTION**

### **I. Thresholds**

- A. Will the project meet or exceed any review thresholds related to **air quality** (see 301 CMR 11.03(8))? \_\_\_\_ Yes **X** No; if yes, specify, in quantitative terms:
- B. Does the project require any state permits related to **air quality**? \_\_\_\_ Yes **X** No; if yes, specify which permit:
- C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

### **II. Impacts and Permits**

- A. Does the project involve construction or modification of a major stationary source (see 310 CMR 7.00, Appendix A)? \_\_\_\_ Yes \_\_\_\_ No; if yes, describe existing and proposed emissions (in tons per day) of:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Particulate matter	_____	_____	_____
Carbon monoxide	_____	_____	_____
Sulfur dioxide	_____	_____	_____
Volatile organic compounds	_____	_____	_____
Oxides of nitrogen	_____	_____	_____
Lead	_____	_____	_____
Any hazardous air pollutant	_____	_____	_____
Carbon dioxide	_____	_____	_____

- B. Describe the project's other impacts on air resources and air quality, including noise impacts:

### **III. Consistency**

- A. Describe the project's consistency with the State Implementation Plan:
- B. Describe measures that the proponent will take to comply with other federal, state, regional, and local plans and policies related to air resources and air quality:

## **SOLID AND HAZARDOUS WASTE SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? \_\_\_\_ Yes   X   No; if yes, specify, in quantitative terms:
- B. Does the project require any state permits related to **solid and hazardous waste**? \_\_\_\_ Yes   X   No; if yes, specify which permit:
- C. If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

### **II. Impacts and Permits**

- A. Is there any current or proposed facility at the project site for the storage, treatment, processing, combustion or disposal of solid waste? \_\_\_\_ Yes \_\_\_\_ No; if yes, what is the volume (in tons per day) of the capacity:
- |                       | <u>Existing</u> | <u>Change</u> | <u>Total</u> |
|-----------------------|-----------------|---------------|--------------|
| Storage               | _____           | _____         | _____        |
| Treatment, processing | _____           | _____         | _____        |
| Combustion            | _____           | _____         | _____        |
| Disposal              | _____           | _____         | _____        |
- B. Is there any current or proposed facility at the project site for the storage, recycling, treatment or disposal of hazardous waste? \_\_\_\_ Yes \_\_\_\_ No; if yes, what is the volume (in tons or gallons per day) of the capacity:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Storage	_____	_____	_____
Recycling	_____	_____	_____
Treatment	_____	_____	_____
Disposal	_____	_____	_____

- C. If the project will generate solid waste (for example, during demolition or construction), describe alternatives considered for re-use, recycling, and disposal:
- D. If the project involves demolition, do any buildings to be demolished contain asbestos? \_\_\_\_ Yes \_\_\_\_ No
- E. Describe the project's other solid and hazardous waste impacts (including indirect impacts):

### **III. Consistency**

Describe measures that the proponent will take to comply with the State Solid Waste Master Plan:

## **HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION**

### **I. Thresholds / Impacts**

- A. Have you consulted with the Massachusetts Historical Commission? \_\_\_\_ Yes   X   No; if yes, attach correspondence. For project sites involving lands under water, have you consulted with the Massachusetts Board of Underwater Archaeological Resources? \_\_\_\_ Yes \_\_\_\_ No; if yes, attach correspondence

See correspondence with the Massachusetts Historical Commission in Attachment D.

- B. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? \_\_\_\_ Yes   X   No; if yes, does the project involve the demolition of all or any exterior part of such historic structure? \_\_\_\_ Yes \_\_\_\_ No; if yes, please describe:

- C. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? \_\_\_\_ Yes   X   No; if yes, does the project involve the destruction of all or any part of such archaeological site? \_\_\_\_ Yes \_\_\_\_ No; if yes, please describe:

- D. If you answered "No" to all parts of both questions A, B and C, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

### **II. Impacts**

Describe and assess the project's impacts, direct and indirect, on listed or inventoried historical and archaeological resources:

### **III. Consistency**

Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to preserving historical and archaeological resources:

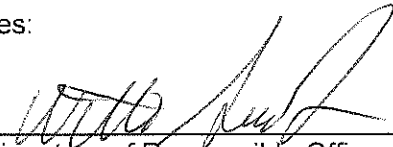
**CERTIFICATIONS:**

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

(Name) Carver Reporter (Date) February 3, 2017

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

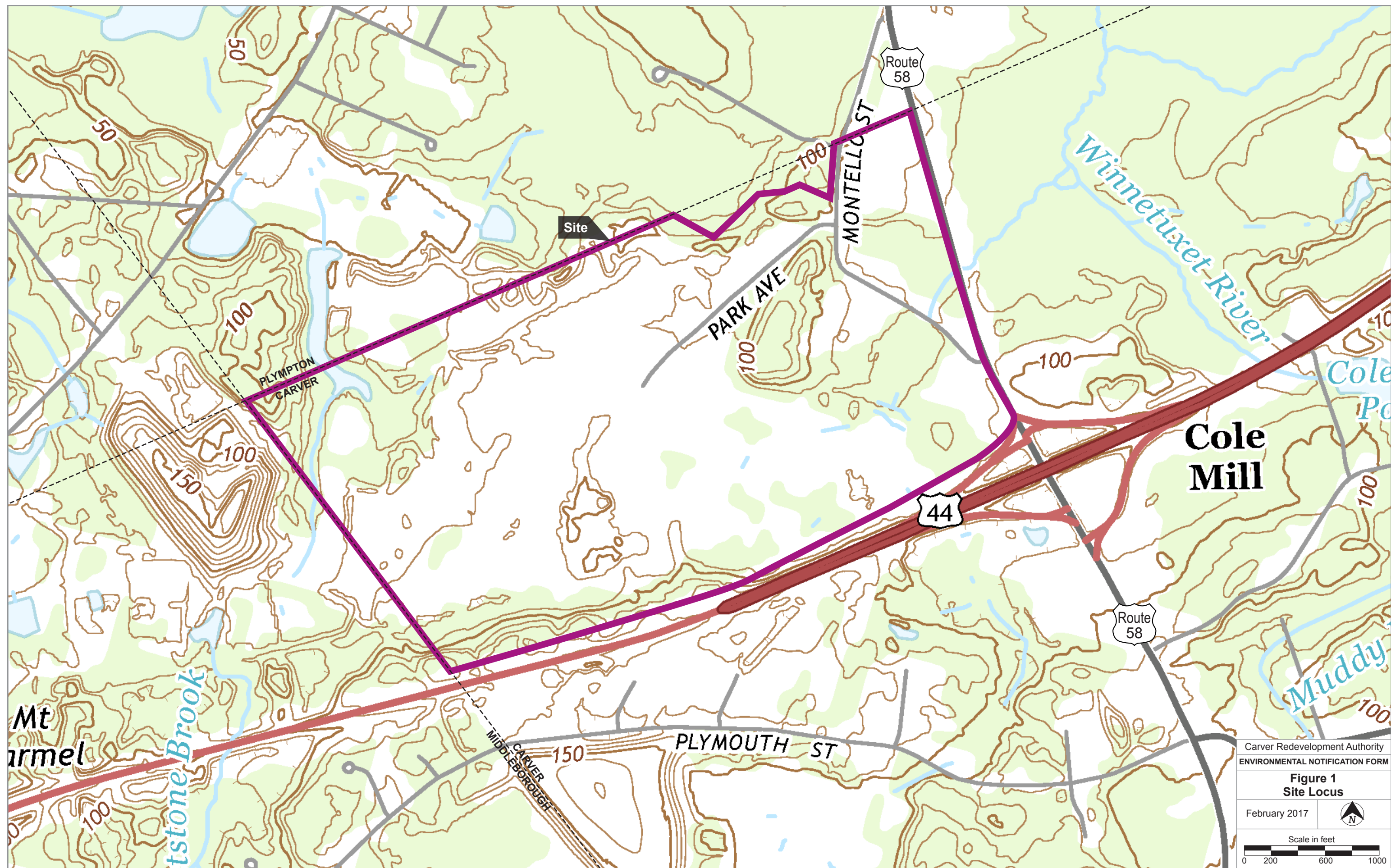
Signatures:

1/23/17  Date Signature of Responsible Officer or Proponent	1/30/17 <u>Bruce W. Haskell</u> Date Signature of person preparing ENF (if different from above)
--	--

<u>Carver Redevelopment Authority</u> Name (print or type)	<u>Bruce W. Haskell, P.E.</u> Name (print or type)
<u>Firm/Agency</u>	<u>Langdon Environmental LLC</u> Firm/Agency
<u>Town Hall, 108 Main Street</u> Street	<u>Two Summer Street, Suite 300</u> Street
<u>Carver, MA 02330</u> Municipality/State/Zip	<u>Natick, MA 01760</u> Municipality/State/Zip
<u>(508) 866-3450</u> Phone	<u>(508) 545-0333</u> Phone

# Attachment A – Figures





Carver Redevelopment Authority  
ENVIRONMENTAL NOTIFICATION FORM

**Figure 1**  
**Site Locus**

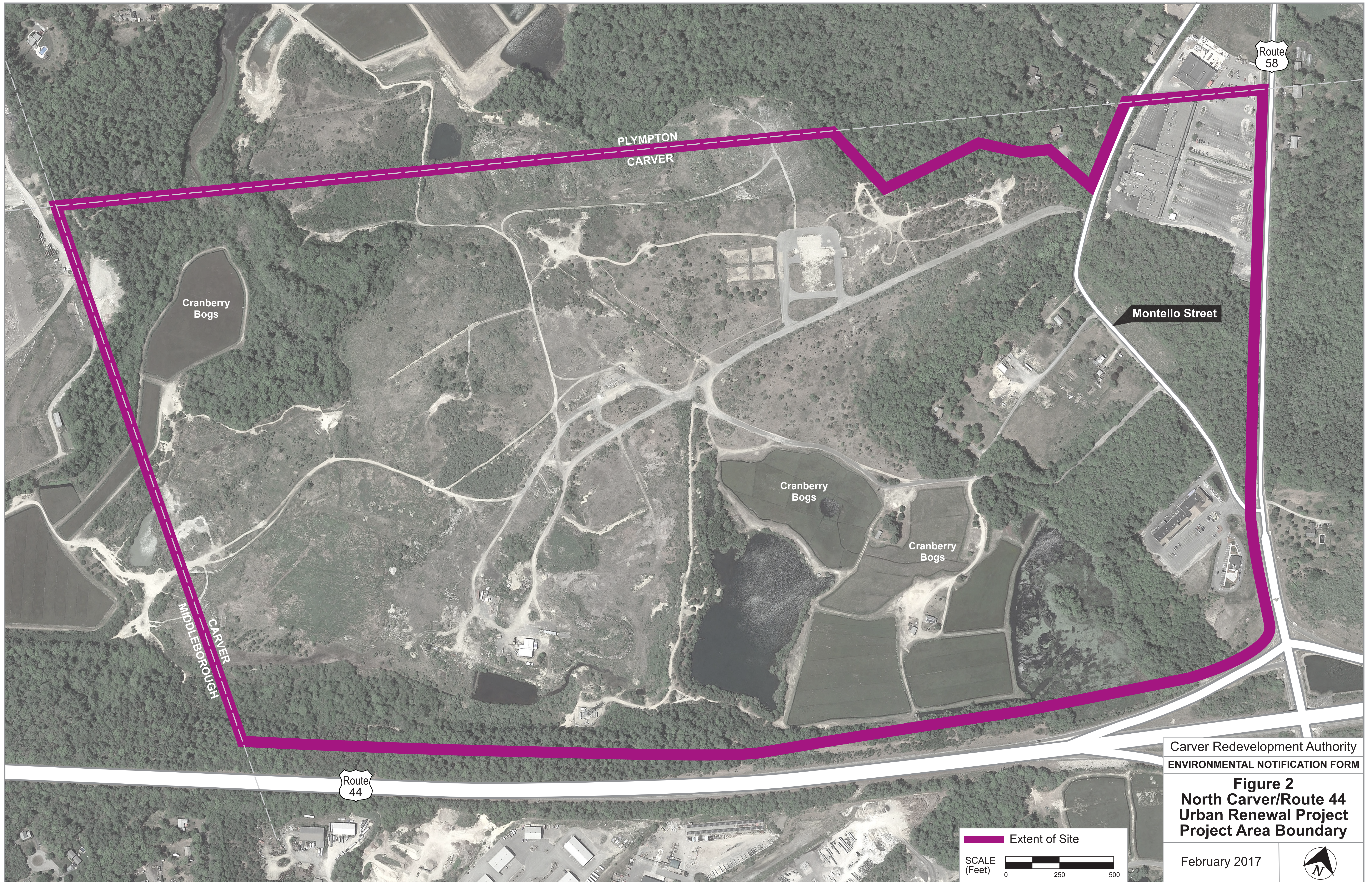
February 2017



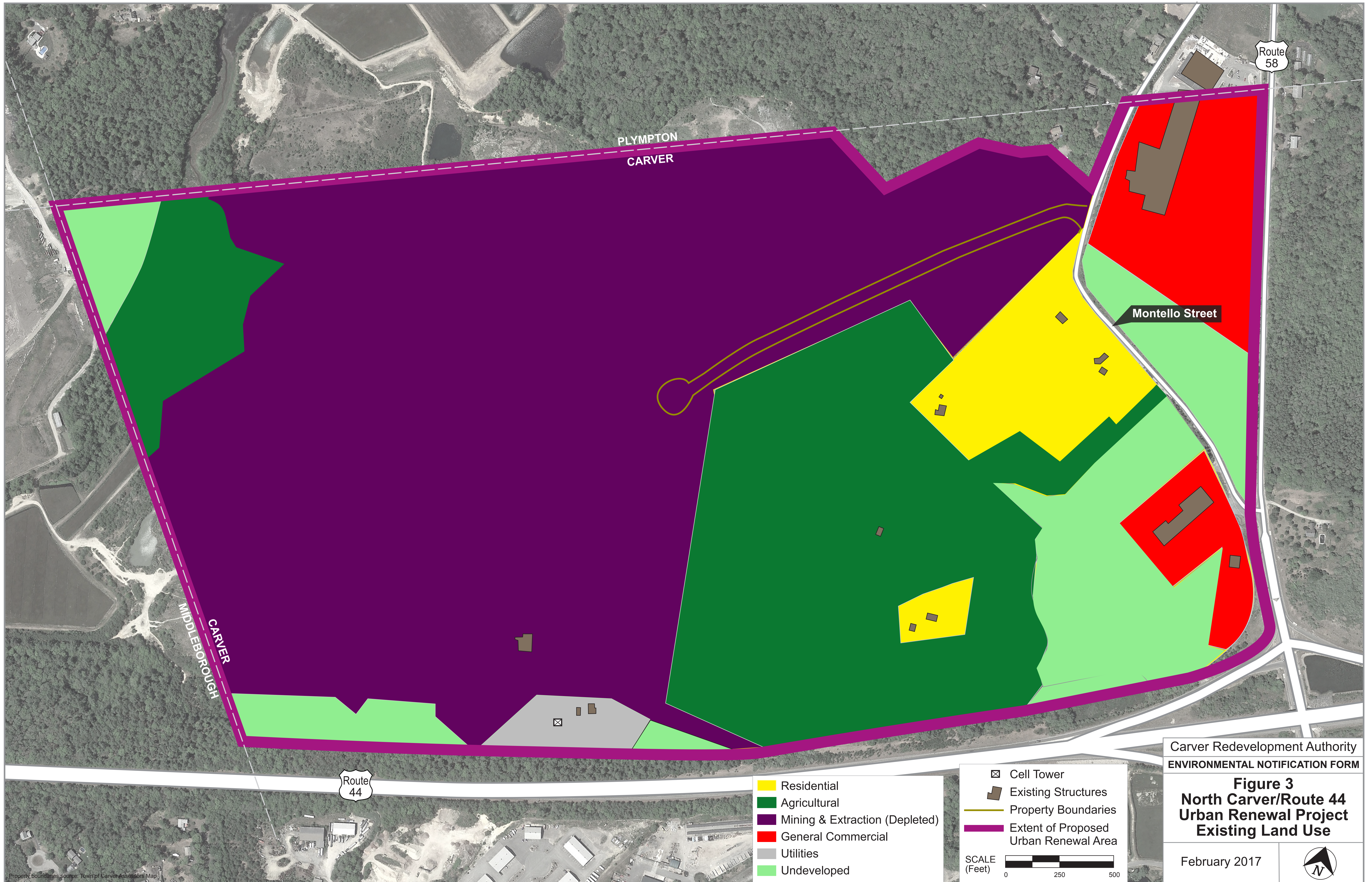
Scale in feet



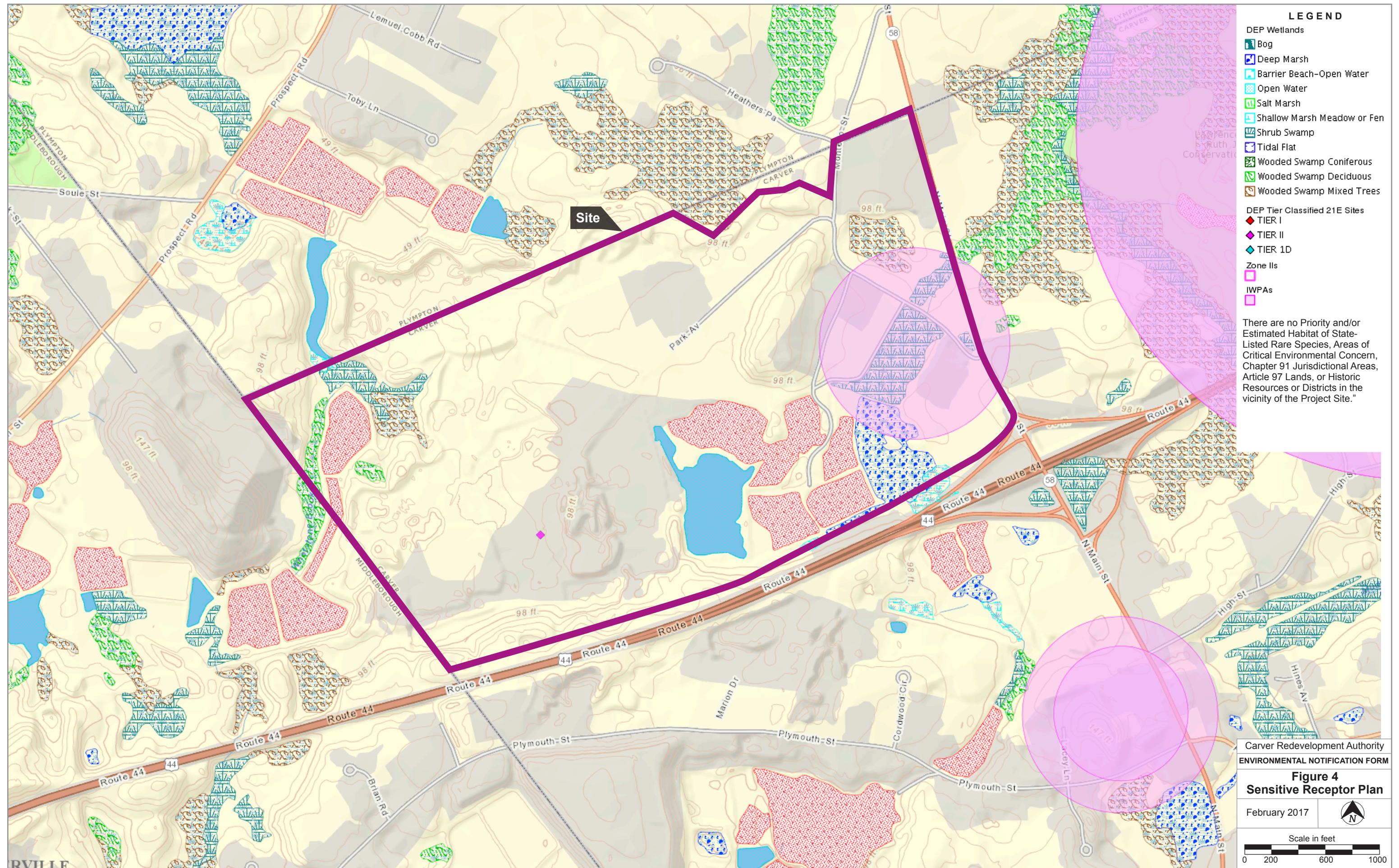












# LEGEND

- DEP Wetlands
- Bog
  - Deep Marsh
  - Barrier Beach-Open Water
  - Open Water
  - Salt Marsh
  - Shallow Marsh Meadow or Fen
  - Shrub Swamp
  - Tidal Flat
  - Wooded Swamp Coniferous
  - Wooded Swamp Deciduous
  - Wooded Swamp Mixed Trees

- DEP Tier Classified 21E Sites
- TIER I
  - TIER II
  - TIER 1D

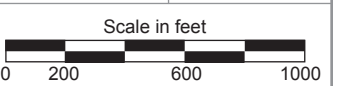
- Zone IIs
- 
- IWPAs
- 

There are no Priority and/or Estimated Habitat of State-Listed Rare Species, Areas of Critical Environmental Concern, Chapter 91 Jurisdictional Areas, Article 97 Lands, or Historic Resources or Districts in the vicinity of the Project Site."

Carver Redevelopment Authority  
ENVIRONMENTAL NOTIFICATION FORM

## Figure 4 Sensitive Receptor Plan

February 2017





# Attachment B – Urban Renewal Plan as Submitted to DHCD



# Attachment C – Project Narrative

## Attachment C

### Project Narrative

#### Introduction

This narrative supplements the information presented in the Expanded Environmental Notification Form (EENF) prepared for the Carver Redevelopment Authority (Proponent) for the proposed development of 301.4 acres in North Carver including the request for a Phase I Waiver for the Department of Housing and Community Development (DHCD) approval of the North Carver Urban Renewal Plan (URP), and agency action, plus related administrative actions and initial implementation steps.

#### Existing Conditions and Land Uses

The Site is within the limits of the properties that comprise the North Carver URP developed by the Proponent and included as Attachment B. The Site is in the northwest corner of the Town of Carver within the approximate rectangular area formed by the municipal boundary with the Town of Middleborough to the west, the Town of Plympton to the north, Route 58 to the east and Route 44 to the south. The total Site area is approximately 301.4-acres (see Figure 1 – Site Locus in Attachment A).

Most of the Site is currently blighted, underutilized property including a large parcel (127 acres) that is a depleted sand and gravel operation (former Route 44 Sand & Gravel operation or the former Whitworth property). There are also residential homes located along Montello Street, existing cranberry bogs (including a water reservoir used to maintain water levels in the bogs), and two existing retail developments located within the limits of the Site. In addition to the cranberry bogs, there are wetland resource areas in the southeastern portion of the Site associated a perennial stream and along the southern portion of the former Route 44 Sand & Gravel operation (see Figure 2 for an aerial photograph of the Site and surrounding areas and Figure 3 for current land uses. Both figures are in Attachment A). All but one of the parcels within the Site have local zoning (Green Business Park) that contemplates commercial development in accordance with prior planning documents developed by the Town.

The former Route 44 Sand & Gravel property includes an inactive stump dump requiring closure under Massachusetts Department of Environmental Protection (MassDEP) Solid Waste Management Regulations (310 CMR 19.000). Portions of the Site have also been historically impacted by groundwater contamination in the deep aquifer from upgradient sources and a localized impact from the historic on-site disposal of cranberry wastes. The remediation of these releases is being completed under the provisions of the Massachusetts Contingency Plan (MCP, 310 CMR 40.000) and the associated Release Tracking Numbers (RTN) for each of the releases is anticipated to be closed out under the MCP and will not impact future development. The status of these RTNs and their assessment and remediation is provided below.

There are ongoing activities to restore the former Route 44 Sand & Gravel property under MassDEP's COMM-15-01 policy (Interim Policy for the Re-Use of Soil for Large Reclamation Projects, dated August 28, 2015) and a Special Permit issued by the Town of Carver Planning Board. The owner of this property has undertaken the remediation of historic issues include the restoration of the sand and gravel pit property and prepare the property for the proposed development use.

### *Summary of Historic MCP Activities*

A review of MassDEP records near the Site identified the following Release Tracking Numbers (RTNs) associated with the MCP. The status of each of these RTN's is provided below:

- 4-19098 - 44 Gravel and Sand – Closed - methyl ethyl ketone and acetone in groundwater (on former Route 44 Sand & Gravel property – closed with a Permanent Solution with No Conditions)
- 4-18160 - 44 Gravel and Sand – Closed - elevated background thallium in soil (on former Route 44 Sand & Gravel property)
- 4-0911 - Simeone Asphalt Plant/Aggregate Industries (upgradient source)
- 4-19784 - Simeone Asphalt Plant/Aggregate Industries (upgradient source)
- 4-18745 - Simeone Asphalt Plant/Aggregate Industries (upgradient source)
- 4-15951 - Off Montello Street IRA (upgradient source related to 4-0911)
- 4-0950 - Ravenbrook Polymer Concrete Site – Closed (former upgradient source)
- 4-16222- Ravenbrook IRA - Closed (former upgradient source related to RTN 4-0950)

The Licensed Site Professional (LSP) for the upgradient contamination source sites is in the process of decommissioning the monitoring wells on the former Route 44 Sand & Gravel property related to upgradient sources of contamination in the deep groundwater. There are no issues associated with any of these RTN's that will limit the proposed development of the Site.

### *Summary of Proposed Project*

During development of the URP, there was considerable public discussion about the programmatic and physical elements of the proposed project. The proposed future uses include development of large warehouse, office and/or light manufacturing with appurtenant paved parking areas and access roads. The conceptual development presented to the public as part of the URP process showed up to 1.85 million ft<sup>2</sup> of new buildings and an estimated 50± additional acres of new parking and new roadways. The conceptual proposed uses described herein are consistent with the current Green Business Park zoning. Initial estimates are that the new development will generate up to 3,000± additional vehicle round-trips and 2,400± new parking spaces. A conceptual plan for this development is shown as Map I in the URP (Attachment B).

There have been significant efforts to promote the type of development presented in the URP on the Site including numerous historic planning documents prepared by the Town of Carver, establishment of the Green Business Park zoning district (2010), extension of Route 44 from Route 58 to Route 3 (2005) and the implementation of the North Carver Water District to supply adequate water (2007 & 2010) to support development. See section entitled "Planning and Redevelopment Efforts to Date" on page 27 of the URP in Attachment B for detailed discussion of these past efforts.

Over the past year, the Proponent has held numerous public meetings to prepare the North Carver URP document under MGL Chapter 121B (Attachment B). The URP outlines the Town's vision to "...capitalize on the strategic location of this particular area of North Carver for long-term economic development purposes. The Town envisions the private redevelopment of the area for modern, attractive and sustainable facilities for warehousing and distribution, light manufacturing and office uses, as well as future commercial and retail development." The URP was approved by the Carver Board of Selectmen

after a public hearing held on January 5, 2017. The Proponent is requesting that the Department of Housing and Community Development (DHCD) be allowed to approve the North Carver URP and that the Proponent be allowed to begin its implementation as a Phase I Waiver pursuant to section 301 CMR 11.11 of the MEPA Regulations.

Vehicle access to the Site will be from an access ramp from the divided state highway Route 44 to Route 58 located at the southeast corner of the Site. Access from the off-ramp will be for an approximate 500 feet to the intersection of Route 58 and Montello Street. The future development will be accessed off a re-configured intersection of Montello Street and Route 58 and a new configuration for Montello Street. Alternative conceptual layouts to access the Site and proposed development have been reviewed by the Proponent during public process for the URP and will be evaluated further as part of the DEIR.

### Proposed Mitigation Measures – Short-Term Impacts

Construction-period impacts during the development of the Site include increased traffic, noise, dust and stormwater/erosion controls. The following are the approaches to each of these potential impacts during construction of the proposed development:

- **Stormwater and Erosion/Sedimentation Controls.** Construction activities will require compliance with the USEPA Construction General Permit (CGP) under the National Pollution Discharge Elimination System (NPDES) regulations and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) pursuant to the CGP. SWPPPs are comprehensive documents which identify and describe best management practices (“BMPs”) to be implemented during construction to avoid and mitigate potential adverse effects to receiving water from construction site runoff, additionally BMPs to mitigate air quality, dust and noise are also addressed in SWPPPs. Adherence to the requirements of CGP will avoid and minimize potential construction-period impacts.

Additionally, the SWPP will also be developed to comply with the Erosion and Sediment Control Plan requirement of the Massachusetts Stormwater Management Regulations.

- **Traffic.** During construction, a designated truck route will be established that will limit truck and passenger traffic associated with construction to Montello Street south of the existing Park Avenue (e.g. no traffic north on Montello Street into Plympton except for emergencies). Any improvements to Montello Street including the intersection with Route 58 during construction will be evaluated in the DEIR and subject to review by the Carver Planning Board.
- **Air Emissions.** Measures to control air emission during construction will include:
  - Require contractors to install an emission control device on each piece of diesel construction equipment to reduce emissions, including a diesel oxidation catalyst (DOC) or diesel particulate filter (DPF);
  - Recommend the use of ultra-low sulfur diesel fuel [sulfur content less than 15 parts per million] in all diesel-fired construction equipment used on MEPA reviewed projects; and

- Prohibit motor vehicle engines from idling more than five minutes (in compliance with the Massachusetts 5-minute idle law, 310 CMR 7.11), unless the engine is being used to operate a lift or refrigeration unit.
- **Noise, Dust and Odors.** Hours of construction activity and noise limits will be established for the proposed development. These will be established to minimize impacts to residents and other businesses near the Site. It is not anticipated that odors or dust will be a significant impact from construction and both can be controlled with standard procedures (e.g. use of a water truck to control dust).

### Long-Term Development - Potential Impacts and Proposed Mitigation

Future Site development may generate longer-term environmental impacts focused around the following items with proposed mitigation:

- **Traffic.** Increased traffic on local and state roads, and specifically along Montello Street including its intersection with Route 58 in Carver. These impacts are proposed to be mitigated by reconfiguring Montello Street and its intersection with Route 58 to accommodate the proposed increased traffic. The development will also implement a designated route for trucks and passenger vehicles to only utilize Montello Street south of the existing Park Avenue driveway except during emergency situations (e.g. no traffic except emergencies will use the portion of Montello Street in the Town of Plympton). The conceptual design of the proposed development will incorporate improvements at the entrances off Montello Street that will implement this designated route.
- **Stormwater Run-off.** The increase in impervious area from pavement and parking will increase the quantity of stormwater runoff and require treatment and mitigation in accordance with the Massachusetts Stormwater Management Regulations and Standards. These Regulations and Standards were developed to address issues relating to water quality and water quantity (flooding, low base flow and recharge). These standards are incorporated into the Wetlands Protection Regulations at 310 CMR 10.05(6)(k), and the Water Quality Certification Regulations at 314 CMR 9.06(6)(a). These standards are protective of the environment, especially receiving waters. The stormwater management system for Site development will be designed in accordance with the MassDEP's Stormwater Management Standards to control the quantity and quality of runoff and thus mitigate potential impacts associated with runoff. The Proponent intends on implementing low-impact development methods to maximize infiltration and on-site reuse of stormwater. The DEIR will provide details on the approaches to comply with the stormwater standards and regulations and implementation of low-impact development methods.
- **GHG Emissions.** Development-related greenhouse gas (GHG) emissions from increased energy uses compared to the current undeveloped site conditions will be evaluated as part of the DEIR in accordance with the "Revised MEPA Greenhouse Gas Emissions Policy and Protocol," dated



May 5, 2010 (GHG Policy). This will include an estimate of the quantity of GHG emissions from the proposed development for comparison to the project baseline and provide commitments to a series of mitigation measures that will help to reduce GHG emissions. The mitigation measures will be consistent with the Massachusetts' Sustainable Development Principles to integrate transportation and land uses. The proposed mitigation measures included in the Appendix to the GHG Policy will be evaluated as part of this process.

- **Water and Wastewater.** Provision of potable water will be from the North Carver Water District. It is anticipated that the development will require a water tank to provide adequate pressure and flow for fire protection for the buildings anticipated to be constructed. Based on initial conversations with the Water District, there is adequate capacity in their system to accommodate the proposed development with the addition of the water tank.

Wastewater disposal will be at an on-site treatment system with a groundwater discharge. The sandy soils and available area on-site will adequately accommodate a subsurface wastewater disposal facility.

- **Wetland Resource Areas.** The final development will be designed to minimize permanent impacts to on-Site wetland resource areas on the Site. Any work in and adjacent to wetland resources will be constructed in accordance with, and permitted through the, Wetlands Protection Act (M.G.L. c. 131, § 40) and the Carver Wetlands Protection Act Bylaw. Stabilizing and development-related activities in the buffer zones of state jurisdictional wetland resource areas will be presented to the Carver Conservation Commission for review and approval.

As stated in the URP, there will be no development proposed for the on-Site areas currently utilized as cranberry bogs.

- **Aesthetics, Lighting and Noise.** The URP includes a series of design controls intended to encourage high-quality development and creative design and minimize potential impacts to adjacent residential zones. These include additional building setbacks to residential areas; orienting buildings to emphasize the more aesthetically pleasing components and disguising the less aesthetically-pleasing elements; incorporating landscaping and site entrance designs to improve aesthetics as well as provide buffers and mitigation; not allow exposed light-bulbs, incorporate architecturally-compatible fixtures and supports; design buildings including rooflines, ladders and mechanical equipment to enhance the buildings appearance; and attenuate noise generated from rooftop equipment to a maximum of 60 dB at the property line. These measures will be discussed further in the DEIR and will be the subject of review by the Proponent for specific site uses.

### Phase I Waiver Request

As discussed in the EENF, the Proponent is requesting a Phase 1 Waiver to allow the DHCD to review and approve the URP prior to completing the full MEPA review of the proposed project. The Proponent also

asks that related administrative action and limited initial actions related to the North Carver Urban Renewal Plan be allowed to proceed under a Phase I Waiver while the remainder of the Project completes the MEPA review process. In addition to allowing DHCD approval, an agency action, the Proponent request that the following initial actions be allowed to proceed under the Phase I Waiver:

- Acquisition of the 13 privately-owned parcels and partial acquisition two privately-owned parcels (for roadway realignment only) totaling 242.1 acres within the 301.4-acre Site;
- Relocation of the affected residents and businesses;
- Spot clearance of five buildings necessary to achieve objectives of URP; and
- Creation of the disposition parcel as shown on Map H in the URP.

Section 301 CMR 11.11(4) outlines the criteria (in italics) for determining if a Phase I Waiver is appropriate and a summary outlining the proposed Phase I activities and how they meet each criterion for allowing a Phase I Waiver:

- (a) *The potential environmental impacts of phase one, taken alone, are insignificant.*

Note of the activities proposed for Phase I are an agency action and administrative/legal procedures, e.g. land acquisition, and these have no environmental impacts. Razing structures does not meet or exceed a MEPA review threshold and does not require any state permits. Any building designated for clearance would be screened for hazardous materials and asbestos-containing materials which would be handled and disposed of in accordance with appropriate regulations.

- (b) *Ample and unconstrained infrastructure facilities and services exist to support phase one.*

There is no need for any infrastructure improvements to support Phase I activities.

- (c) *The project is severable, such that phase one does not require the implementation of any other future phase of the Project or restrict the means by which potential environmental impacts from any other phase of the Project may be avoided, minimized or mitigated.*

The approval of the URP by DHCD and the initial steps outlined above do not require the implementation of any proposed future phase. All future potential environmental impacts from the development portion of the project that will be subject to a DEIR and FEIR can be avoided, minimized or mitigated.

- (d) *The Agency Action on phase one will contain terms such as a condition or restriction in a Permit, contract or other relevant document approaching or allowing the Agency Action, or other evidence satisfactory to the Secretary, so as to ensure compliance with MEPA and 301 CMR 11.00 prior to Commencement of any other phase of the Project.*

The North Carver URP is the result of a year-long public process undertaken by the Proponent and provides a detailed-outline of the conditions and requirements for the proposed development. Any development on the Site will require significant infrastructure improvements that will necessitate MassDOT approval of a new intersection at Montello Street and Route 58 and a MassDEP permit for a groundwater discharge of on-Site generated wastewater. Neither

of these permits can be obtained without demonstrating compliance with the MEPA requirements.

Finally, the “Revised MEPA Greenhouse Gas Emissions Policy and Protocol,” effective May 5, 2010 requires that “...if a proponent is seeking a Phase One Waiver pursuant to 301 CMR 11.11(4), the EENF should contain the required GHG analysis if Phase One of the project will result in material GHG emissions itself (for example, if it involves construction of a building or parking).” The proposed activities including the approval of the URP by DHCD and the initial actions will not result in “material” GHG emissions. Therefore, a GHG analysis is not included in this EENF. The Proponent is committed to completing a GHG emissions analysis for MEPA review in the DEIR.

# Attachment D- Correspondence

RECEIVED

FEB 04 2016

MASS. HIST. COMM

R.C. 59699

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD

BOSTON, MASS. 02125

617-727-8470, FAX: 617-727-5128

PROJECT NOTIFICATION FORM

Project Name: Route 44 Development LLC

Location / Address: 3 - 4 Park Avenue

City / Town: Carver, Massachusetts

Project Proponent

Name: Route 44 Development LLC

Address: 500 Harrison Avenue, Suite 4R

City/Town/Zip/Telephone: Boston, Massachusetts 02118

After review of MHC files and the materials you submitted, it has been determined that this project is unlikely to affect significant historic or archaeological resources.

R.C. 59699

Jonathan K. Hatton  
Archaeologist / Preservation Planner  
Massachusetts Historical Commission

2/18/16  
Date

Agency license or funding for the project (list all licenses, permits, approvals, grants or other entitlements being sought from state and federal agencies).

Agency Name

Type of License or funding (specify)

MEPA Unit

MEPA Certificate

**Project Description (narrative):**

The Proponent proposes to reclaim the abandoned sand and gravel mine, an approximately 127 acre upland area within the "Study Area" and located west and northwest of the cranberry bog, see Figure 1, and then redevelop their property for commercial use.

**Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.**

No demolition required for site reclamation and preparation. One existgin metal garage building will be demolished for site redevelopment.

**Does the project include rehabilitation of any existing buildings? If so, specify nature of rehabilitation and describe the building(s) which are proposed for rehabilitation.**

No.

**Does the project include new construction? If so, describe (attach plans and elevations if necessary).**

Site reclamation and preapration does not require new construction. For commercial reuse to be developed.



950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A (continued)

To the best of your knowledge, are any historic or archaeological properties known to exist within the project's area of potential impact? If so, specify.

No.

What is the total acreage of the project area?

Woodland \_\_\_\_\_ acres  
Wetland \_\_\_\_\_ acres  
Floodplain \_\_\_\_\_ acres  
Open space 127 acres  
Developed \_\_\_\_\_ acres

Productive Resources:  
Agriculture \_\_\_\_\_ acres  
Forestry \_\_\_\_\_ acres  
Mining/Extraction \_\_\_\_\_ acres  
Total Project Acreage 127 acres

What is the acreage of the proposed new construction? 127 acres

What is the present land use of the project area?

Abandoned sand and gravel mine.

Please attach a copy of the section of the USGS quadrangle map which clearly marks the project location.

See attached Figure 1 USGS Locus

This Project Notification Form has been submitted to the MHC in compliance with 950 CMR 71.00.

Signature of Person submitting this form: Dwight R. Dunk

Date: 01 FEB 2016

Name: Dwight R. Dunk, LPD, BCES

Address: Epsilon Associates, Inc. 3 Clock Tower Place, Site 250

City/Town/Zip: Maynard, MA 01754

Telephone: 978.461.6226

REGULATORY AUTHORITY

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.



Projects:\4413 Route 44 LLC - Carver MA\MHC

February 1, 2016

**PRINCIPALS**

Theodore A Barten, PE  
Margaret B Briggs  
Michael E Guski, CCM  
Dale T Raczynski, PE  
Cindy Schlessinger  
Lester B Smith, Jr  
Robert D O'Neal, CCM, INCE  
Andrew D Magee  
Michael D Howard, PWS  
Douglas J Kelleher  
AJ Jablonowski, PE  
Stephen H Slocomb, PE  
David E Hewett, LEED AP

Samuel G. Mygatt, LLB  
1943-2010

**ASSOCIATES**

Dwight R Dunk, LPD  
David C. Klinch, PWS, PMP

3 Clock Tower Place, Suite 250  
Maynard, MA 01754  
www.epsilonassociates.com

978 897 7100

FAX 978 897 0099

Massachusetts Historical Commission  
220 Morrissey Boulevard  
Boston, MA 02125

**Subject: Project Notification Form – Former Route 44 Sand and Gravel Property, Carver, Massachusetts**

To whom it may concern:

Epsilon Associates, Inc. submits herewith a Project Notification Form plus supporting documentation on behalf of the current property owners, Route 44 Development LLC ("Proponent"). The Proponent proposes to reclaim the abandoned sand and gravel mine, an approximately 127 acre upland area within the "Study Area" and located west and northwest of the cranberry bog, see Figures 1 and 2, and then redevelop their property for commercial use. Site reclamation and preparation will include importing soils pursuant to the Massachusetts Department of Environmental Protection Policy # Comm-15-01- Interim Policy on the Re-Use of Soil for Large Reclamation Projects, dated August 28, 2015.

Site reclamation and preparation activities do not trigger Massachusetts Environmental Policy Act ("MEPA") review, however future site development triggers MEPA review. Epsilon is preparing the Environmental Notification Form to initiate MEPA review and thus seeks input from the MHC for that effort.

Please contact me at 978.461.6226, or via email at [ddunk@epsilonassociates.com](mailto:ddunk@epsilonassociates.com), with any questions regarding this request.

Sincerely,  
EPSILON ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Dwight R. Dunk".

Dwight R. Dunk, LPD, BCES, PWS  
Associate

Encl.: Project Notification Form  
Figure 1 - USGS Locus Map  
Figure 2 - Aerial Locus Map

cc. B. Haskell, Langdon Environmental LLC

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD  
BOSTON, MASS. 02125  
617-727-8470, FAX: 617-727-5128

**PROJECT NOTIFICATION FORM**

Project Name: Route 44 Development LLC

Location / Address: 3 - 4 Park Avenue

City / Town: Carver, Massachusetts

Project Proponent

Name: Route 44 Development LLC

Address: 500 Harrison Avenue, Suite 4R

City/Town/Zip/Telephone: Boston, Massachusetts 02118

Agency license or funding for the project (list all licenses, permits, approvals, grants or other entitlements being sought from state and federal agencies).

Agency Name

Type of License or funding (specify)

MEPA Unit

MEPA Certificate

**Project Description (narrative):**

The Proponent proposes to reclaim the abandoned sand and gravel mine, an approximately 127 acre upland area within the "Study Area" and located west and northwest of the cranberry bog, see Figure 1, and then redevelop their property for commercial use.

**Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.**

No demolition required for site reclamation and preparation. One existgin metal garage building will be demolished for site redevelopment.

**Does the project include rehabilitation of any existing buildings? If so, specify nature of rehabilitation and describe the building(s) which are proposed for rehabilitation.**

No.

**Does the project include new construction? If so, describe (attach plans and elevations if necessary).**

Site reclamation and preapration does not require new construction. For commercial reuse to be developed.



950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A (continued)

**To the best of your knowledge, are any historic or archaeological properties known to exist within the project's area of potential impact? If so, specify.**

No.

**What is the total acreage of the project area?**

Woodland \_\_\_\_\_ acres  
Wetland \_\_\_\_\_ acres  
Floodplain \_\_\_\_\_ acres  
Open space 127 acres  
Developed \_\_\_\_\_ acres

Productive Resources:  
Agriculture \_\_\_\_\_ acres  
Forestry \_\_\_\_\_ acres  
Mining/Extraction \_\_\_\_\_ acres  
Total Project Acreage 127 acres

**What is the acreage of the proposed new construction?** 127 acres

**What is the present land use of the project area?**

Abandoned sand and gravel mine.

**Please attach a copy of the section of the USGS quadrangle map which clearly marks the project location.**

See attached Figure 1 USGS Locus

This Project Notification Form has been submitted to the MHC in compliance with 950 CMR 71.00.

---

Signature of Person submitting this form: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Dwight R. Dunk, LPD, BCES

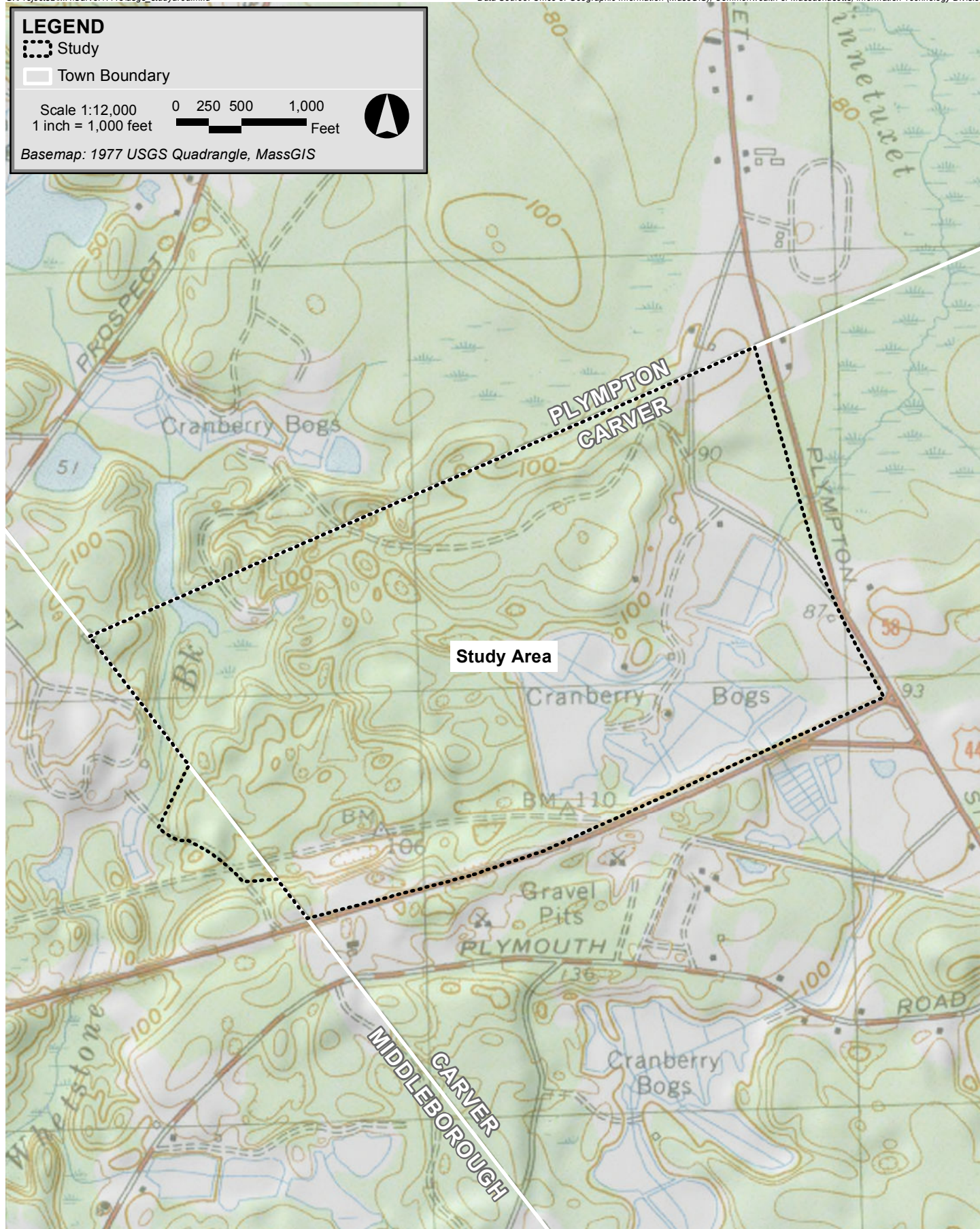
Address: Epsilon Associates, Inc. 3 Clock Tower Place, Site 250

City/Town/Zip: Maynard, MA 01754

Telephone: 978.461.6226

**REGULATORY AUTHORITY**

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.



Route 44 Sand and Gravel Property Carver, Massachusetts





Route 44 Sand and Gravel Property Carver, Massachusetts





Commonwealth of Massachusetts

# Division of Fisheries & Wildlife

Jack Buckley, *Director*

March 04, 2016

Dwight Dunk  
Epsilon Associates, Inc.  
3 Clock Tower Place, Suite 250  
Maynard MA 01754

RE: Project Location: 3-4 Park Avenue  
Town: CARVER  
NHESP Tracking No.: 11-29640

To Whom It May Concern:

Thank you for contacting the Natural Heritage and Endangered Species Program of the MA Division of Fisheries & Wildlife (the "Division") for information regarding state-listed rare species in the vicinity of the above referenced site.

Based on the information provided, the Natural Heritage has determined that at this time the site is not mapped as Priority or Estimated Habitat. The NHESP database does not contain any state-listed species records in the immediate vicinity of this site.

This evaluation is based on the most recent information available in the Natural Heritage database, which is constantly being expanded and updated through ongoing research and inventory. If you have any questions regarding this letter please contact Emily Holt, Endangered Species Review Assistant, at (508) 389-6385.

Sincerely,

Thomas W. French, Ph.D.  
Assistant Director

[www.mass.gov/nhesp](http://www.mass.gov/nhesp)



Projects:\4413 Route 44 LLC - Carver MA\NHESP

February 1, 2016

**PRINCIPALS**

Theodore A Barten, PE  
Margaret B Briggs  
Michael E Guski, CCM  
Dale T Raczyński, PE  
Cindy Schlessinger  
Lester B Smith, Jr  
Robert D O'Neal, CCM, INCE  
Andrew D Magee  
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Douglas J Kelleher  
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David E Hewett, LEED AP

Samuel G. Mygatt, LLB  
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3 Clock Tower Place, Suite 250  
Maynard, MA 01754  
[www.epsilonassociates.com](http://www.epsilonassociates.com)

978 897 7100

FAX 978 897 0099

Regulatory Review  
Natural Heritage and Endangered Species Program  
MA Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

**Subject: MESA Information Request – Former Route 44 Sand and Gravel Property, Carver, Massachusetts**

To whom it may concern:

Epsilon Associates, Inc. ("Epsilon") submits herewith a MESA Information Request Form plus supporting documentation on behalf of the current property owners, Route 44 Development LLC ("Proponent"). The Proponent proposes to reclaim the abandoned sand and gravel mine, an approximately 127 acre upland area within the "Study Area" and located west and northwest of the cranberry bog, see Figure 1, and then redevelop their property for commercial use. Site reclamation and preparation will include importing soils pursuant to the Massachusetts Department of Environmental Protection Policy # Comm-15-01- Interim Policy on the Re-Use of Soil for Large Reclamation Projects, dated August 28, 2015.

Site reclamation and preparation activities do not trigger Massachusetts Environmental Policy Act ("MEPA") review, however future site development triggers MEPA review. Epsilon is preparing the Environmental Notification Form to initiate MEPA review and thus seeks input from the NHESP for that effort. The site does not appear to support habitat for MESA listed species, see Figure 2. We respectfully request concurrence that this site does not provide habitat for MESA listed species.

Please contact me at 978.461.6226, or via email at [ddunk@epsilonassociates.com](mailto:ddunk@epsilonassociates.com), with any questions regarding this request.

Sincerely,  
EPSILON ASSOCIATES, INC.

Dwight R. Dunk, LPD, BCES, PWS  
Associate

Encl.: MESA Information Request Form  
Figure 1 - USGS Locus Map  
Figure 2 - Aerial Locus Map

cc. B. Haskell, Langdon Environmental LLC

## MESA Information Request Form

Please complete this form to request site-specific information from the Natural Heritage & Endangered Species Program  
(Please submit only one project per request form).

**Please include a check for \$50.00 made out to Comm. of MA – NHESP.\***

### **Requestor Information**

Name:

Affiliation:

Address:

City:

State:

Zip Code:

Daytime Phone:

Ext.

Email address:

### **Project Information**

Project or Site Name:

Location:

Town:

Name of Landowner or Project Proponent:

Acreage of the Property:

Description of Proposed Project and Current Site Conditions: (If necessary attach additional sheet)

- ☐ Will this project be reviewed as a Notice of Intent by the local Conservation Commission?
- ☐ Will this project be undergoing MEPA review for reasons other than rare species?
- ☐ Have you enclosed the required copy of a USGS topographic map in the scale 1:24,000 or 1:25,000 (not copy reduced) with the site location clearly marked and centered on the copy page? (Copies of Natural Heritage Atlas pages are not accepted)

Please **mail** this completed form and topographic map to:

Regulatory Review  
Natural Heritage and Endangered Species Program  
MA Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

**Questions regarding this form should be directed according to the county that the property is located:**

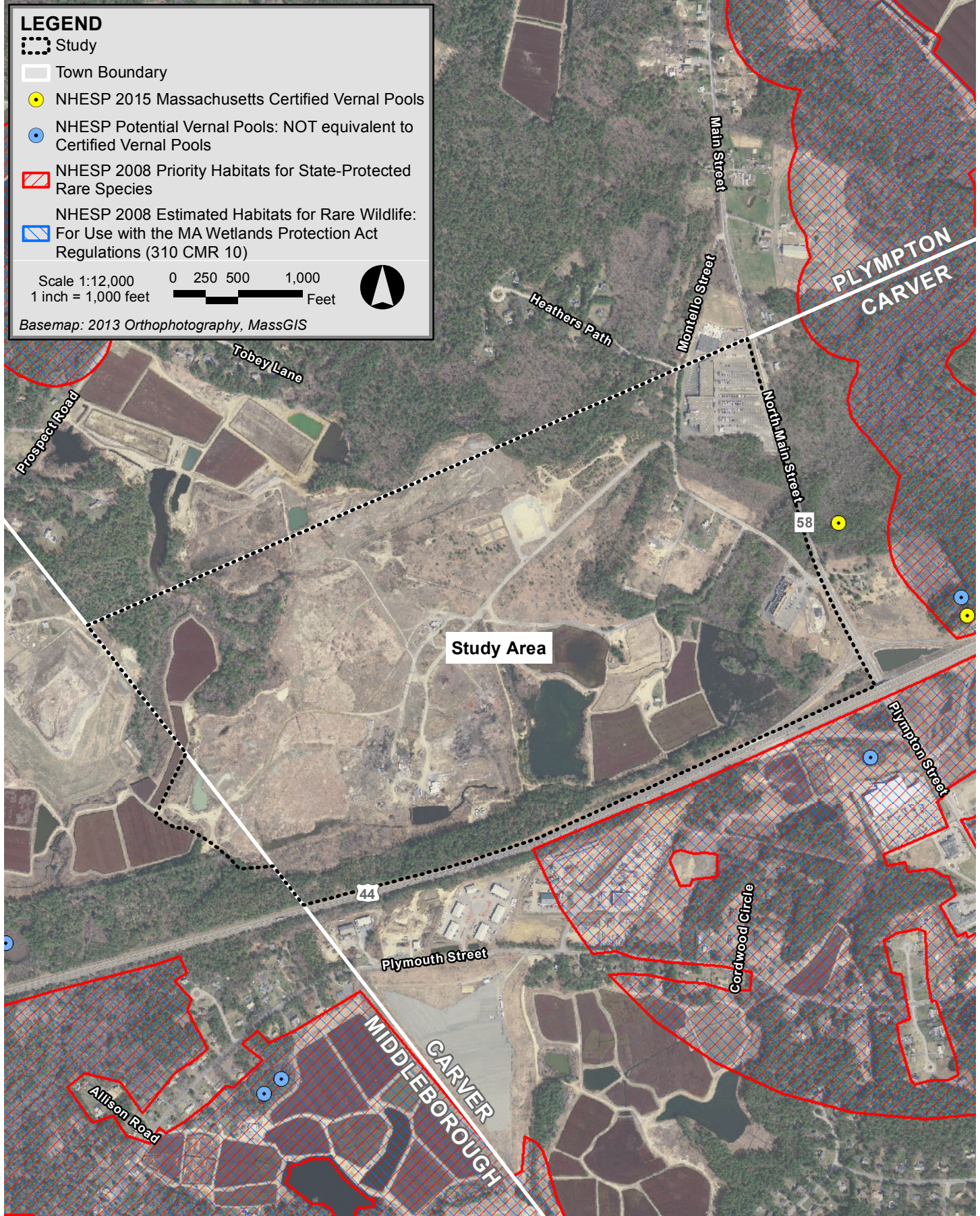
Berkshire, Essex, Franklin, Hampshire, Hampden, Middlesex & Worcester Counties call: 508-389-6361  
Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth & Suffolk Counties call: 508-389-6385

**Persons requesting information will receive a written response within 30 days of receipt of all information required. Please do not ask for an expedited review.** \*If you are requesting information for habitat management or conservation purposes and you are a non-profit conservation group, government agency or working with a government agency please fill out a Data Release Form.









Route 44 Sand and Gravel Property    Carver, Massachusetts



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31243

1/29/2016

PAY TO THE ORDER OF Comm. of MA -NHESP

\$\*\*50.00

Fifty and 00/100\*\*\*\*\* DOLLARS

PROTECTED AGAINST FRAUD

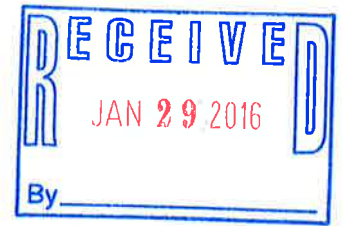
Comm. of MA -NHESP

MEMO

*M B Briggs* MP

⑈031243⑈ ⑆211371227⑆ 800205855⑈





*Cranberry Land USA*  
**Carver Conservation Commission**

Town Hall, 108 Main Street  
Carver, MA 02330

Telephone: 508-866-3482  
Fax: 508-866-3430

January 21, 2016

Robert Delhome  
Route 44 Development, LLC  
560 Harrison Avenue  
Boston, MA 02118

RE: Order of Resource Area Delineation – DEP# SE126-527  
3-4 Park Avenue

Dear Mr. Delhome:

Enclosed please find a copy of the Order of Resource Area Delineation (ORAD) for the address listed above. Please see Section B. 1. (a) and (b) for the resource areas confirmed on the site. The original ORAD will be kept on file in our office. Please keep this copy for your records.

If you have any questions or concerns, please do not hesitate to contact me.

Yours truly,

Brooke Monroe, Environmental Scientist  
Agent, Carver Conservation Commission

Enc.

CC: DEP  
Laura Simkins, VHB



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 126-527

MassDEP File Number

eDEP Transaction Number

Carver

City/Town

**A. General Information**

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

From: Carver  
1. Conservation Commission

2. This Issuance is for (check one):  
a. ☒ Order of Resource Area Delineation  
b. ☐ Amended Order of Resource Area Delineation

3. Applicant:  
Robert Delhome  
a. First Name b. Last Name  
Route 44 Development LLC  
c. Organization  
560 Harrison Avenue  
d. Mailing Address  
Boston MA 02118  
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):  
Same as Applicant.  
a. First Name b. Last Name  
c. Organization  
d. Mailing Address  
e. City/Town f. State g. Zip Code

5. Project Location:  
3-4 Park Avenue Carver 02330  
a. Street Address b. City/Town c. Zip Code  
Map 20  
d. Assessors Map/Plat Number e. Parcel/Lot Number  
Latitude and Longitude (in degrees, minutes, seconds):  
d m s d m s  
f. Latitude g. Longitude

6. Dates: December 2015 1/13/16 1/13/16  
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:  
"Existing Conditions, ANRAD Plan, Stone Cranberry, Carver, MA" 12/8/15  
a. Title b. Date  
c. Title d. Date



## WPA Form 4B – Order of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 126-527

MassDEP File Number

eDEP Transaction Number

Carver

City/Town

### B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

- a. ☒ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. ☒ Bordering Vegetated Wetlands
2. ☒ Other resource area(s), specifically:

a. Wetland series # 3 and # 13 are defined as resource area bordering vegetated wetland; series #1, #2, #10, #11, #15 are isolated (By-law only). See b. below.

- b. ☒ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. ☐ Bordering Vegetated Wetlands
2. ☒ Other resource area(s), specifically:

a. Based on the conditions observed in the field (i.e. vegetation, hydrology, soils) wetland series #1, 2, 10, 11 and 15 as shown on the Plan do not qualify as wetland resource areas under the By-law; and, therefore are non-jurisdictional. Wetland series #3 and 13 are wetland resource areas (BVW); and therefore, are jurisdictional (See "Attachment A").

- c. ☐ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. ☐ Bordering Vegetated Wetlands
2. ☐ Other resource area(s), specifically:

3. ☐ The boundaries were determined to be inaccurate because:





*Cranberry Land USA*

**Carver Conservation Commission**

Town Hall, 108 Main Street  
Carver, MA 02330

Telephone: 508-866-3482  
Fax: 508-866-3430

ATTACHMENT "A"

Special Conditions for Order of Resource Area Delineation  
Route 4 Development LLC  
3-4 Park Avenue, Carver, Map 20, Lot 2

1. This ORAD confirms the presence of wetland resource area bordering vegetated wetland (BVW) shown as Wetland Series # 3 and #13 on the approved Plan. Any work/activities proposed within 100 feet of this resource area shall require a permit from the Carver Conservation Commission (see Section B (b) relative to the modifications made to the other resource area boundaries shown on the Plan).
2. This ORAD is valid for 3 years from the date of issuance and does not relieve the Applicant from complying with all other local regulations.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 126-157

MassDEP File Number

eDEP Transaction Number

Carver

City/Town

**C. Findings**

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

**D. Appeals**

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

SE 126-157  
MassDEP File Number

eDEP Transaction Number

Carver  
City/Town

11/3/16  
Date of Issuance

**E. Signatures**

Please indicate the number of members who will sign this form.

5  
Number of Signers

Signature of Conservation Commission Member

Hagid A. Tortorella  
Signature of Conservation Commission Member

[Signature]  
Signature of Conservation Commission Member

Signature of Conservation Commission Member

Signature of Conservation Commission Member

[Signature]  
Signature of Conservation Commission Member

[Signature]  
Signature of Conservation Commission Member

Signature of Conservation Commission Member

**This Order is valid for three years from the date of issuance.**

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on \_\_\_\_\_ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

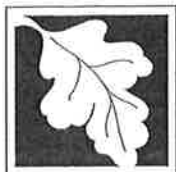
2. ☐ By hand delivery on \_\_\_\_\_

a. Date

3. ☐ By certified mail, return receipt requested on \_\_\_\_\_

a. Date





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**Request for Departmental Action Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## A. Request Information

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

Project Location

Mailing Address

City/Town

State

Zip Code

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. DEP File Number:

## B. Instructions

1. When the Departmental action request is for (check one):

☐ Superseding Order of Conditions

☐ Superseding Determination of Applicability

☐ Superseding Order of Resource Area Delineation

Send this form and check or money order for \$120.00 (single family house projects) or \$245.00 (all other projects), payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection  
Box 4062  
Boston, MA 02211



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**Request for Departmental Action Fee Transmittal Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**B. Instructions (cont.)**

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

# Attachment E – Municipal and Federal Permits Required for Project



## Attachment E

### Anticipated Permits Required

The following municipal and federal permits and approvals are anticipated for the development of the North Carver area described in the Urban Renewal Plan:

1. Filing with USEPA of Construction General Permit including Stormwater Pollution Prevention Plan under National Pollution Discharge Elimination System (NPDES) program.
2. Order of Conditions from Town of Carver Conservation Commissions under the state Wetlands Protection Act and the Carver Wetlands Bylaw.
3. Rezoning of single parcel within URP area to Green Business Park.
4. Special Permit from of Carver Planning Board (potential).

# Attachment F – Agencies and Persons Receiving Copies of ENF

## Attachment F Distribution of ENF

The Environmental Notification Form will be provided to the following:

MEPA Office (Two Copies):	Secretary Mathew A. Beaton Executive Office of Energy & Environmental Affairs Attention: MEPA Office 100 Cambridge Street, Suite 900 Boston, Massachusetts 02114
MassDEP:	<u>DEP/Southeastern Regional Office</u> Attention: MEPA Coordinator 20 Riverside Drive Lakeville, Massachusetts 01606
MassDOT:	<u>Massachusetts Department of Transportation</u> Public/Private Development Unit 10 Park Place Boston, Massachusetts 02116  <u>Massachusetts Department of Transportation</u> District #5 Attention: MEPA Coordinator Box 111 1000 County Street Taunton, Massachusetts 02780
Massachusetts Historic Commission:	<u>The MA Archives Building</u> 220 Morrissey Boulevard Boston, Massachusetts 02125
Regional Planning Agency:	<u>Southeast Regional Planning &amp; Economic Development District</u> 88 Broadway Taunton, Massachusetts 02780



Municipalities:

Town of Carver

Board of Selectmen

Carver Town Hall

108 Main Street

Carver, Massachusetts 02330

Carver Redevelopment Authority

Carver Town Hall

108 Main Street

Carver, Massachusetts 02330

Planning Board

Carver Town Hall

108 Main Street

Carver, Massachusetts 02330

Conservation Commission

Carver Town Hall

108 Main Street

Carver, Massachusetts 02330

Board of Health

Carver Town Hall

108 Main Street

Carver, Massachusetts 02330

Town of Plympton

Board of Selectmen

5 Palmer Road, Route 58

Plympton, Massachusetts 02367

Planning Board

5 Palmer Road, Route 58

Plympton, Massachusetts 02367

Conservation Commission

5 Palmer Road, Route 58

Plympton, Massachusetts 02367

Board of Health

5 Palmer Road, Route 58

Plympton, Massachusetts 02367

Municipalities, continued

Town of Middleborough  
Board of Selectmen  
10 Nickerson Avenue  
Middleborough, MA 02346

Health Department  
20 Center Street  
Middleborough, MA 02346

Conservation Commission  
20 Center Street, 2<sup>nd</sup> Floor  
Middleborough, MA 02346

Planning Department  
20 Center Street, 2<sup>nd</sup> Floor  
Middleborough, MA 02346

Dept. of Agricultural Resources:

Department of Agricultural Resources  
Attention: MEPA Coordinator  
16 West Experiment Station  
University of Massachusetts  
Amherst, MA 01003

Dept. of Energy Resources:

Department of Energy Resources  
Attention: MEPA Coordinator  
100 Cambridge Street, 10<sup>th</sup> Floor  
Boston, Massachusetts 02114

Dept. of Housing and Community Development:

Dept. of Housing and Community Development  
Attention: Ms. Ashley Emerson  
100 Cambridge Street, Suite 300  
Boston, Massachusetts 02114



**Langdon  
Environmental LLC**  
Two Summer Street, Suite 300  
Natick, MA 01760  
508-545-0333

*in association with*



3 Mill & Main Place, Suite 250  
Maynard, MA 01754



## **Opinion of Counsel**

February 27, 2017

**Lee S. Smith**  
[lsmith@k-plaw.com](mailto:lsmith@k-plaw.com)

OPINION OF COUNSEL – NORTH CARVER URBAN RENEWAL PLAN

To Whom It May Concern:

KP Law, P.C. is Town Counsel to the Town of Carver and the Carver Redevelopment Authority (collectively, the “Town”). In connection with the Town’s submission of the North Carver Urban Renewal Plan dated as of December 19, 2016 (the “URP”) to the Department of Housing and Community Development (“DHCD”) for its approval, we provide this opinion of counsel as required by 760 CMR 12.02 (5).

For this opinion, we have reviewed the URP together with its appendices along with the provisions of G.L. c. 121B and 760 CMR 12. We have assumed, without independent verification, that all required signatures are authentic; all plans, studies and other similar documents and materials were prepared by licensed professionals where required; all notices were provided and published in accordance with applicable law; that all meetings took place at the place and time stated in the notices thereof; and that all minutes of such meetings have been duly approved by the body that has prepared them.

In our opinion, and based upon the information provided to us by the Town subject to the assumptions described above, the URP is reasonably clear, definite, and unambiguous, does not provide for any illegal or discriminatory action or illegal preferential action or treatment and is in compliance with applicable laws.

The URP includes all provisions, drawings, maps, documents and other items required to be included pursuant to state and local law and applicable requirements.

The URP includes appropriate provisions describing the real property upon which the Carver Redevelopment Authority has proposed to take action including acquisition, relocation (including required relocation assistance), spot clearance, rehabilitation, modification, re-zoning, and improvement and includes appropriate provision for imposition of controls and other requirements of the URP upon such real property.

The URP reflects definite local objectives respecting appropriate zoning, land use restrictions, design control, improved traffic, improved infrastructure, and improved development and growth potential in the Town of Carver.

The URP includes sufficient provisions regarding the duration of the controls and proper mechanisms to make amendments to the approved URP and all such provisions are legally adequate.

February 27, 2017

Page 2

As required by G.L. c. 121B, §48, the following requirements have been met:

1. The Carver Redevelopment Authority determined that an urban renewal project should be undertaken and it applied to the Board of Selectmen for approval of the URP. The Redevelopment Authority provided the URP to the Board of Selectmen along with a statement of the proposed method for financing the project and such other information as it deemed advisable.
2. At a duly noticed public meeting held on December 19, 2016, the Carver Redevelopment Authority voted to approve the URP.
3. The Carver Board of Selectmen held a duly noticed public hearing on the URP on January 5, 2017.
4. At a duly noticed public meeting held on January 5, 2017, the Carver Board of Selectmen voted to approve the URP.
5. At a duly noticed public meeting held on December 27, 2016, the Carver Planning Board made findings that the URP is (1) based on a local survey and (2) conforms to the comprehensive plan for the Town as a whole.
6. Notice of the public hearing on the URP on January 5, 2017 was sent to the Massachusetts Historical Commission together with a map indicating the area to be renewed.
7. An Expanded Environmental Notification Form ("ENF") for the project was filed with the Executive Office of Energy and Environmental Affairs in accordance with the Massachusetts Environmental Policy Act on January 31, 2017.

In our further opinion, the territorial areas covered by the URP are within the territorial jurisdiction of the Town of Carver and conform to the legal requirements pertaining to the eligibility of such areas for the URP and the URP includes all information, drawings, plans, maps, documents and other materials required in order to be considered for acceptance by DHCD.

Very truly yours,



Lee S. Smith

LSS/ekh

576642/CARV/0165



## **APPENDIX 4**

### **Preliminary Relocation Plan Relocation Strategies, Hudson, MA**

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# Preliminary Relocation Plan

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North Carver Urban  
Renewal Plan

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November, 2016

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# Preliminary Relocation Plan

## North Carver Urban Renewal Plan

Section	Topic	Regulatory Citation	Page Number
A.	Relocation Program Narrative	27.03(6)(a)	3
B.	Displacement Number	27.03(6)(b)	5
C.	Estimated Date of Displacement	27.03(6)(c)	6
D.	Site Occupant Needs	27.03(6)(d)	6
E.	Estimated Cost of Relocation	27.03(6)(f)	7
F.	Description of Funding Sources	27.03(6)(g)	7
G.	Assurance Statement	27.03(6)(h)	7
H.	Concurrent Projects /Activities	27.03(6)(i)	8
I.	Real/Personal Property Report	27.03(6)(j)	8
J.	Temporary Moves and Other Policies	27.03(6)(k)	8
K.	Summary of Appeal Procedures	27.03(6)(l)	10



## **Section A. Narrative Description of the Relocation Program**

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The North Carver Urban Renewal plan is comprised of a project area of approximately 300 acres and is located along US Route 44 on the south, Route 58 on the east, the Plympton, MA town line on the north and the Middleborough, MA town line on the west. The project entails the assembly of a redevelopment site to support Phase 1 development. The content of the plan provides detail regarding the project particulars.

The plan as currently proposed may involve the displacement of approximately five (5) parcels occupied by both commercial enterprises and residents. Among these parcels, there are two (2) homeowner occupied properties; three (3) commercial or owner-non occupant investment property and one (1) residential tenant. In addition, there are two (2) properties utilized as cranberry bogs which are included within the plan for statistical purposes only but may or may not be eligible for relocation benefits. This preliminary relocation plan has been prepared exclusively for this project and outlines the anticipated relocation program and procedures that will be undertaken by the CRA in connection with its assistance to displaced occupants. In keeping with generally accepted practices, this relocation plan may be amended and modified as the various project phases are finalized. In addition, no potentially displaced occupants were interviewed for this relocation plan. It is understood that the properties identified in the Urban Renewal Plan for this project may change as the program evolves and until the actual properties to be acquired is more defined and the eventual timing of any property acquisitions is established that it is preferable for site occupants and property owners to wait on obtaining information from potentially displaced occupants for a later date. Eventual interviews with occupants and the information obtained from such interviews will be added to the relocation plan as an addendum and will subsequently be submitted to the Massachusetts Bureau of Relocation for review, consideration and approval.

All relocation activities will comply with applicable state and federal regulations and will be supported by a relocation plan prepared in accordance with applicable federal and state requirements, including the requirements of 760 CMR 27.00, Relocation Assistance Regulations. No displacement will occur until a relocation plan has been finalized and approved by the Department of Housing and Urban Development (DHCD)'s Bureau of Relocation.

All eligible lawful occupants determined to be displaced as a result of the property acquisition for this project will be provided relocation assistance and payments pursuant to the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended; 42 U.S.C. Section 4601 *et seq.*; and the applicable implementing regulations set forth in Title 49, Part 24 of the Code of Federal Regulations (together the "Uniform Act"). In addition, the WRA will adhere to the requirements of Massachusetts General Laws, Chapter 79A, and 760 Code of Massachusetts Regulations, Part 27.00. In any instances where there is a conflict between federal or state laws

and/or regulations, with respect to relocation payments or benefits to eligible displaced occupants, the displacing agency will make every effort to apply the requirements of whichever law or regulation provides the greater benefit to the displaced occupant.

The CRA will seek designation as the relocation advisory agency for this project and will be responsible for providing required relocation assistance and payments to persons displaced due to this project. This designation will be updated in consultation with the Bureau of Relocation. The CRA will retain the services of independent professionals with experience in implementing the Uniform Act to provide comprehensive assistance to displaced persons and businesses. In addition, the CRA will work closely with local real-estate brokers and appraisers, state and local officials to ensure that any adverse impact of displacement on the affected occupants is minimized.

During the relocation process, the CRA will provide ongoing information relative to available space, assistance programs including, but not limited to, small business loan programs and other data that may be useful to displaced occupants.

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## Section B. Displacement Number

Approximately six (6) displacements have been identified for inclusion within this plan. In addition, there are two (2) properties operating as cranberry bogs that are included in the inventory below but not in the displacement number. An inventory is provided below:

North Carver Urban Renewal Plan Occupant Inventory–November 2016		
Occupant Name	Address/Unit	Type
Landscaper	1 Park Avenue	Business Tenant Landscaper
Contractor Yard	18 Montecello St.	Business Tenant Contractor Yard
Owner–non occupant	10–B Montecello St.	Business Tenant Owner–non occupant
Residential tenant	10–B Montecello St.	Residential Tenant
Tassinari	12 Montecello St.	Resident Homeowner Occupant
Allen	20 Montecello St.	Resident Homeowner Occupant
Bog	10–A Montecello St.	Bog – agricultural
Bog	10–B Montecello St.	Bog–agricultural

The names of all lawful eligible occupants will be determined and/or confirmed prior to and/or as a part of undertaking occupant interviews. Inclusion of any entity on this list does not establish eligibility for relocation assistance or benefits and is subject to change or review depending upon the eventual accepted plan to acquire property.

## **Section C. Estimated Date of Displacement**

---

It has not been determined presently when land acquisition activities will commence. It is understood that relocation of both residential properties and commercial occupants will take time. For residential properties, time will be needed for the homeowners and tenant to find and secure suitable replacement dwellings and coordinate moves to new dwellings. For commercial properties, it time to relocate will depend upon the particular needs of the occupants and any issues that will need to be considered in terms of securing replacement commercial space. More detail regarding timing will be included within the required relocation plan to be filed with the Massachusetts Bureau of Relocation and based upon interviews with affected occupants.

## **Section D. Site Occupant Needs**

---

As noted above, site occupant surveys have not been undertaken at this time due to the fact that site occupants may change between now and the point in the future when acquisition of property and relocation of occupants may occur. In addition, when it is determined when property acquisition may take place, all occupants will be asked to meet with the CRA staff and/or consultants to prepare a site occupant survey. The site occupant survey will determine the needed number of square feet, space layout, maximum rent, and any specific needs. For residential occupants, the survey will include assessment of family composition, income requirements/limitations, access for transportation, student needs or concerns, special egress issues and other issues to be considered.

It is intended that the CRA will continue to meet with site occupants over the course of the relocation process to update information pertaining to their relocation needs. A comprehensive record of each eligible occupant's relocation needs will be maintained within the site occupant record and will be updated as required.

In general, for residential occupants, the market for residential properties to purchase or rent in Carver and the immediate area is quite strong. There is on average between 14–16 single family homes listed on MLS for sale in Carver between \$200,000 and \$300,000. The homes appear to be functionally equivalent to the single family homes identified within this plan.



With regard to the commercial occupants to be displaced, historically relocation of contractor yard or landscaping business are fairly straightforward to relocate. Issues with zoning and availability of space to accommodate the needs of the businesses would appear to be not insurmountable.

Concerning the two (2) properties upon which there are or may be some agricultural operation, namely cranberry bogs, determining whether or not relocation issues would be applicable would depend upon the nature of the enterprise; i.e., if it meets the definition of “farm” within the Uniform Act; income generated by such an enterprise; presence of any personal property on site that will need to be relocated and any determinations made as part of the real estate appraisal process. More information will be determined as a full relocation plan is prepared that may identify the relocation needs for these parcels.

## **Section E. Estimated Cost of Relocation**

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The total cost of relocation for this project is estimated to be between \$210,000 and \$260,000. This estimate was developed based on maximum fixed payments available for smaller businesses and average claims paid for homeowner occupants and residential occupants. This estimate excludes consulting fees to prepare and implement the relocation plan. Actual costs will depend, of course, on many factors unknown at this time, including, but not limited to, determinations of eligibility for the bogs, acquisition costs of the dwellings and rental values.

## **Section F. Description of Funding Sources**

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Project funding will come from a combination of local, state and federal sources. For determining relocation benefits available to affected occupants, all funding will result in benefits available in accordance with the Uniform Relocation Act and MGL c. 79A.

## **Section G. Assurance Statement**

---

The relocation assistance program and the relocation payments provided by the CRA will comply with Massachusetts General Laws Chapter 79A of as most recently amended by Chapter 863 of the Acts of 1973, and with the regulations contained in 760 CMR 27.00. A signed assurance statement from will be forwarded to the Bureau of Relocation with the final relocation plan,

## Section H. Concurrent Projects

---

Currently, there are no other land acquisition activities under way or planned by other governmental agencies in the area identified within the North Carver Urban Renewal Plan. Therefore, the Carver Redevelopment Authority (CRA) does not anticipate the need to coordinate the relocation of occupants for this project with other governmental agencies.

## Section I. Real/Personal Property Report

---

Real-estate appraisals will be prepared for the properties scheduled for acquisition. The appraisers involved will be notified by the CRA that the appraisals must clearly distinguish items of property that are part of the real estate from items that are personal property and eligible for relocation assistance. Appraisers will be provided with the definition of personal property that is contained in MGL 79A, Section 1. The CRA will review the appraisals to verify that the personal property is clearly and consistently delineated. If there are discrepancies between the appraisal reports, the CRA will meet with the appraisers in order to clarify these discrepancies. Tenants and/or owners will be involved, as necessary.

Due to the nature of the properties involved significant issues or disputes arising with regard to classification of items of property as real estate or personal property are not foreseen.

## Section J. Temporary Moves and Other Policies

---

- 1) Temporary Moves. Temporary moves will be kept to a minimum and will be used only in emergency situations and as a temporary resource for a limited period of time when permanent relocation resources are not immediately available. Temporary relocation costs will include only eligible expenses and will not include rent or real estate improvements at the temporary location. Any temporary move with a duration of six months or more will be considered a permanent move.
- 2) Use-and-Occupancy Agreement. Any tenant and/or owner occupying acquired property will be required to execute a use-and-occupancy agreement within 45 days of acquisition. The agreement will stipulate the terms and conditions for occupancy.

Use-and-occupancy charges for commercial tenants will be set in relation to fair-market value for such use and occupancy and set no higher than rent paid upon acquisition, except that fees may be increased to cover the cost of providing services rendered plus any municipal taxes and water and sewer bills. Use-and-occupancy

agreements also will stipulate that any unpaid use-and-occupancy charges to be withheld from the occupant's relocation payment. Other provisions of the agreement will include:

- a) Use-and-occupancy fee to be charged
  - b) Starting date of occupancy
  - c) Date on which payments will be due
  - d) Date on which the fee will begin to accrue
  - e) Identification of utilities or services to be furnished by either party
  - f) Rights of tenant to pro rata refund of advance use-and-occupancy fees in event of a move before the end of a rental period.
- 3) Fixed Payment in Lieu of Moving Benefit. The CRA may determine that it would be beneficial to business concerns to be displaced for this project if the CRA made some adjustments and/or clarifications to the Fixed Payment in Lieu of Moving Benefit available to such businesses. To that end, the CRA will apply the following policies: First, all businesses that elect to apply for the benefit will be assumed to meet the requirement that they have experienced a loss of patronage. Secondly, documentation required to support average net earnings will consist of a signed statement from the business certifying earnings. Copies of tax records will not be required. Thirdly, businesses that file for a relocation payment based upon the Fixed Payment in Lieu of Moving benefit will not be prohibited from filing a claim for supplemental incentive payments as determined by the CRA.
- 4) Claim Forms. All displaced occupants will be provided with copies of the required relocation claim forms and will be offered assistance in completing them. All occupants who seek any relocation payment must file the appropriate claim form and will be advised in advance as to the documentation required to support any relocation claims made. Failure to file relocation claim forms with the CRA within the time period specified in the applicable relocation regulations will be grounds for denial of requested relocation payments.
- 5) Advisory Services. The CRA will be available to provide necessary assistance and advisory services to occupants displaced by this project. These services will include, but not be limited to, referrals to real estate and rental agents, move planners, financial advisors, and suitable government programs. However, with regard to displaced commercial entities, the CRA is not obligated to provide any displaced occupant with a referral to a replacement location that replicates or provides the displaced business with a competitive advantage it may currently have due to the occupancy terms at its present location.



## Section K. Summary of Appeal Procedures

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Any claimant aggrieved by a determination as to the amount or eligibility of a relocation payment or the claimant's eligibility to receive a relocation payment may request further review. The request will include the following information: name and address of the displacee; reference to notice and specific amount of claim denied or partially approved; any information and/or documentation that may be pertinent to the claim; and a request for information relative to the claim, if not provided in the determination. This request for further review must be submitted within 60 days from the date the occupant receives written notice of a final determination by the CRA.

- 1) CRA Hearing. The CRA, at one of its regularly scheduled meetings, will schedule a hearing to be conducted order to provide an opportunity for the aggrieved claimant and CRA representatives to present oral and/or written arguments.
- 2) Decision. Within 30 days following the hearing, the CRA will render a written decision as to the amount or eligibility of the claim with an explanation of the reasons supporting the decision. The decision will include information on the claimant's option to request review of the decision by the Bureau of Relocation. The decision will be sent to the claimant by certified mail, return-receipt requested. If the claimant does not request review of the decision by the Bureau of Relocation within 30 days of receipt of the decision, the CRA decision will be final.
- 3) Review by the Bureau of Relocation. Bureau of Relocation policies and procedures are found in the state Relocation Assistance Regulations, 760 CMR 27.00. Claimants may contact the Relocation Bureau Director, Commonwealth of Massachusetts, Department of Housing and Community Development, 100 Cambridge Street, Boston, MA 02114, (617) 573-1400.

## **APPENDIX 5**

### **Preliminary Development Agreement**

## DEVELOPMENT AGREEMENT

This Development Agreement (the "Agreement") is entered into on this 15 day of April, 2016, by and between the Carver Redevelopment Authority (the "Authority") with a principal place of business at Carver Town Hall, 108 Main Street, Carver, MA 02330, and Route 44 Development, LLC (the "Developer") with a principal place of business located at Route 44 Development, LLC, c/o Charter Environmental, Inc., 500 Harrison Avenue, Suite 4R, Boston, MA 02118.

### Recitals

Whereas the Authority will be charged with promoting and overseeing redevelopment of certain land in Carver, Massachusetts identified in a proposed Urban Renewal Plan, entitled "North Carver Urban Renewal Plan" dated \_\_\_\_\_ (the "Plan") to be approved by the Town of Carver, by and through its Board of Selectmen (the "Town"), the Authority and the Massachusetts Department of Housing and Community Development (as approved, an "Approved Plan"); and

Whereas it is anticipated that the property shown on the Plan (the "Property") will, in accordance with an Approved Plan, be deemed blighted, underutilized and substandard and designated for acquisition and disposition for redevelopment pursuant to G.L. c. 121B; and

Whereas, the Developer desires to acquire and redevelop a certain portion of the Property, described as follows: Assessor's parcels of 20-2-0-R; 20-2-1-R; 20-3-0-R; 20-14-0-R; 21-2-A-R; 22-3-0-R; 22-3-1-R; 22-3-A-R; 22-3-B-R; 22-5-A-R; 22-4-0-R; 22-11-0-R; 24-1-0-E; and 24-2-0-E, and shown on the Plan's Parcel Listing (the "Subject Property") for economically beneficial use(s) in accordance with an Approved Plan and the terms of such development agreement and/or other reasonable instrument(s) reasonably required by the Authority to ensure such use, which development as proposed by the Developer will create a site with sufficient critical mass for a viable business park to attract new economic development and private investment at the Subject Property, and within the Town, and construct improvements necessary to support redevelopment activities, including new public roadway(s), utilities, streetscape improvements and other infrastructure, for the ultimate creation of a business park and commercial uses (the "Project"); and

Whereas, the Authority believes that the Project will bring beneficial economic development to the Property and the Town of Carver; and

Whereas, in accordance with an Approved Plan, the Authority intends to acquire the Subject Property, or portions thereof, and to convey the Subject Property, or portions thereof, to the Developer to allow for such beneficial economic development and in furtherance of the Project; and

Whereas, the acquisition and redevelopment of the Subject Property will provide a public benefit to the Town; and



Whereas, in recognition of this mutual benefit, the parties seek, through this Agreement, to set forth the terms under which the Authority will acquire the Subject Property with the Developer's assistance and funding.

Now, therefore, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration the sufficiency of which is acknowledged, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

### Agreement

#### **A. LAND ACQUISITION.**

1. **Acquisition of Property.** Upon final approval of an Approved Plan, the Authority intends to take all reasonable measures permissible by law to acquire the Subject Property, or portions thereof, by gift, purchase and/or eminent domain (the "Acquisition"). The parties may agree to amend the definition of Subject Property as they see fit to provide for the acquisition, transfer, and development of a portion of the Subject Property.
2. **Transfer of Property.** Within thirty (30) days after the Authority takes title to the Subject Property, or portions thereof, the parties will enter into a Purchase and Sale Agreement providing for the transfer of the Subject Property, or portions thereof, to the Developer (the "Transfer"), setting forth the terms and conditions under which the Developer will take title to the Subject Property, or portions thereof, including, but not limited to, the Developer's obligations to develop the Subject Property, or portions thereof, in accordance with an Approved Plan. The Developer acknowledges that the Transfer will be subject to the Developer's obligation to undertake and complete the Project, as that Project may be conditioned or amended by such Approved Plan, which obligation will be secured by a development agreement or other instrument reasonably required by the Authority to ensure such use,
3. **Authority's Contingencies.** The parties recognize that the Authority's ability and obligation to acquire the Subject Property, or portions thereof, is contingent upon: 1) an Approved Plan including the Subject Property and allowing for its acquisition, disposition and development in accordance with this Agreement; 2) agreement of the parties as to Compensation, as defined herein, and deposit of such sums in escrow as are required by this Agreement; 3) such approvals of the Acquisition and Transfer of Property as are required from the Department of Housing and Community Development ("DHCD") and all other lawful authority as may be required, and compliance with all other requirements of Massachusetts General or Special laws applicable to such acquisition; 4) the Authority's satisfaction with the title to and the condition of the Subject Property, including, without limitation, the presence or absence of Hazardous Materials (defined below) and the Authority's responsibility therefor; and 5) the Developer paying for all the Acquisition Costs (defined below).
4. **Preparation Costs.** The Developer shall pay the Authority for any and all reasonable costs and expenses related to preparing for and carrying out the Acquisition and the Transfer, which reasonable costs shall include, without limitation, the following costs: surveys; appraisals and review appraisals from licensed appraisers acceptable to the Authority and the Developer; relocation experts; any and all relocation and other payments due under G.L. c.79A



(the "Relocation Costs"); title research, recording costs, and title insurance; environmental site assessments and other analyses to determine if there are any Hazardous Materials in, on, under or emanating to or from the Subject Property; and licensed site professional services (all the foregoing, including the Relocation Costs, the "Preparation Costs"). "Hazardous Materials" means any oil, hazardous, toxic or radioactive materials, substances or waste, as defined in federal, state, or local law regulating or addressing the generation, storage, use, or transportation of such materials, including, but not limited to, G.L. c. 21E, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9601, et seq. and any rules, regulations, codes and guidance thereunder. The Authority and the Developer shall cause such inspections and other due diligence to be done as they each, in their sole and absolute discretion, determine is reasonably advisable. The Developer shall pay said Preparation Costs whether or not the Authority completes the Acquisition.

5. **Compensation.** At least thirty (30) days prior to the Acquisition, or such other time as the parties may agree, the parties shall agree on the amount of funds and other compensation to be paid for the Acquisition of the Subject Property to the owners of the Subject Property, or portions thereof, (the "Property Owners") and to others, if any, having rights in the Subject Property (the "Other Parties"), which shall be based on at least two appraisals obtained by the Authority and approved by DHCD (excluding the Relocation Costs, the "Compensation"). The Property Owners and the Other Parties are referred to, collectively, as the "Interested Parties." The Compensation will be paid to the Interested Parties at the closing, if the Interested Parties agree upon a voluntary conveyance, or, following the recording/filing of an Order of Taking, as a pro tanto or a full payment, upon receipt of a duly executed waiver. The parties acknowledge and agree that the Compensation and the two appraisals upon which it is based must be approved by DHCD prior to the Acquisition.

6. **Taking Costs.** The Developer shall defend, indemnify and hold harmless the Authority and the Town and their successors and assigns from any and all debts, claims, damages, interest, demands, actions, costs, expenses, agreements, promises, proceedings, experts' fees, attorneys' fees, and any and all other liabilities of any and every kind, nature and description whatsoever (the foregoing, "Claims") arising from or relating to the Authority's acquisition of the Subject Property and/or any rights of the Interested Parties, including, but not limited to, any and all Claims filed by any of the Interested Parties (all of the foregoing, including the cost of defense, the "Taking Costs"). The Authority shall promptly notify the Developer of any demands, notices, summonses or legal papers received in connection with any such Claims. The Authority shall consult with the Developer regarding, but shall control the defense and resolution of any such Claims. No compromise or settlement of such Claims shall be entered without the Developer's consent, which shall not be unreasonably withheld or delayed. The Developer agrees, within thirty (30) days of written notice by the Authority, to reimburse the Authority for any and all reasonable costs and fees incurred in defending itself with respect to any such Claims.

7. **Acquisition Costs.** The Developer shall pay the Authority for any and all reasonable costs and expenses related to preparing for and carrying out the Acquisition, which reasonable costs shall include, without limitation, the Preparation Costs, the Compensation, the Relocation Costs, and the Taking Costs (collectively, the "Acquisition Costs"). The parties recognize and agree that the actual Acquisition Costs may be greater than or less than this estimate, and that the Developer shall be obligated to pay the actual Acquisition Costs incurred by the Authority.



## B. PAYMENTS.

1. **Preparation Costs.** The Developer shall deposit a sum to be agreed upon by the parties with a person to be agreed upon by the parties (the "Escrow Agent") to pay for the Preparation Costs, which the Escrow Agent may disburse to the Authority and/or its consultants upon the presentment of invoices or statements therefor, it being agreed that the Authority may use the funds in the Escrow Account to pay for or reimburse itself for such Preparation Costs. If at any time less than Twenty-Five Thousand Dollars (\$25,000) remains in the Escrow Account, and is not otherwise committed, the Developer shall, within fourteen (14) days of the Authority's written request, replenish the same in an amount to be agreed upon by the parties, which sum shall be determined based on the anticipated costs and expenses to be incurred by the Authority within the following thirty (30) days.

2. **Escrow Account.** To secure the other payment obligations assumed by the Developer under this Agreement, the Developer agrees to place into an escrow fund (the "Escrow Account") held by the Escrow Agent the following sums of money:

- (a) Compensation. A sum of money equal to the amount of Compensation agreed to by the parties at least fourteen (14) days prior to the Acquisition. The Escrow Agent shall disburse the Compensation to be paid to the parties entitled thereto at the closing, should the Subject Property be acquired voluntarily, or otherwise upon the recording/filing of the order of taking.
- (b) Taking Costs. In the event that the Subject Property, or portions thereof, or any rights therein are to be taken by eminent domain, the parties shall, at least thirty (30) days prior to the Acquisition, agree upon the amount of the Taking Costs to be deposited in the Escrow Account, which funds shall be deposited into the Escrow Account at least fourteen (14) days prior to the Acquisition. Such amount shall include, at a minimum:
  - (i) an amount equal to 50% of the Compensation agreed to by the parties; (ii) interest on that sum at the statutory rate, calculated to a period of time that is at least four (4) years from the date the order of taking is recorded/filed; and (iii) an amount to be used to defend against the Claims (the "Defense Costs").In addition, the Developer agrees to provide to the Authority at the time of the Acquisition and Transfer, in order to further secure the Developer's obligation hereunder to reimburse the Authority for the Taking Costs, a performance mortgage on all that land identified on the Plan as to be acquired, which shall include the Subject Property, in form acceptable to the parties. The Developer acknowledges that the Takings Costs shall be retained in the Escrow Account and may be utilized by the Authority for defense and/or resolution of the Claims for a period of four (4) years from the recording/filing of the order of taking, or, if a claim is timely brought, until such time as the claim is finally settled. The Authority shall have no obligation to proceed with the Acquisition in the event that Taking Costs are not timely deposited.

3. **Notice of Escrow Funds.** For the purposes of this Agreement, the parties agree that any notice to be given by the Authority to the Developer to deposit or replenish funds into the



Escrow Account shall be sufficient if sent by email to Robert Delhome, Manager, with an email address of [rdelhome@charter.us](mailto:rdelhome@charter.us) and George A. McLaughlin, III, Manager, with an email address of [giii@mclaughlinbrogthers.com](mailto:giii@mclaughlinbrogthers.com).

4. **No Limitation.** The parties acknowledge that the funds placed into the Escrow Account hereunder are estimates of the Authority's costs in connection with this Agreement and that nothing herein is intended to limit the Developer's obligations hereunder (including, without limitation, the Developer's obligation to defend, indemnify, and hold the Authority and the Town harmless from any Claims and/or Taking Costs), and the Developer shall be solely responsible for any and all such costs. The Developer's obligations hereunder shall survive the expiration or termination of this Agreement. In the event of a deficiency in any sum owed, the Developer shall promptly pay the same. The Authority shall have the right to use funds in the Escrow Account to reimburse or pay for any costs incurred in connection with this Agreement.

5. **Escrow Agent.** The Escrow Agent shall disburse the sums in the Escrow Fund in accordance with the terms hereof and an Escrow Agreement to be entered into by the Authority, the Developer, and the Escrow Agent. The costs of preparing the Escrow Agreement and the Escrow Agent's fees (if any) under the Escrow Agreement shall be paid by the Developer.

### C. OTHER PROVISIONS.

1. **Authority Obligations.** The parties hereby acknowledge and agree that the Authority's obligations are contingent on, among other things, the Developer funding the Project. In the event that any sums to be paid to the Authority hereunder are not paid within thirty (30) days from the date of the Authority's written request (or within such sooner time as may be provided hereunder), the Authority shall have no obligation to undertake the Acquisition.

2. **Enforcement.** The Authority and the Developer shall have the right to enforce the terms hereof by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violation, including, without limitation, specific performance (it being agreed that the Authority and the Developer have no adequate remedy at law). In the case of the Authority, the aforesaid rights shall be in addition to, and not in limitation of, any and all other rights and remedies available to the Authority in law and in equity. Developer has no right to seek damages from the Authority for any breach under this Agreement, including, but not limited to, the right to seek reimbursement of any sums paid by Developer to Authority under this Agreement. The provisions of this Section shall survive the expiration or earlier termination of this Agreement.

3. **Notices.** Except as provided otherwise, all notices and other communications required or permitted to be given hereunder shall be in writing and shall be effective as of: (a) the date of delivery, if served in person or by confirmed facsimile or by electronic mail in .pdf format; (b) three (3) days (specifically, three (3) days that the US Postal service is open for business and delivering mail) after the date of mailing, if served by certified or registered mail, postage prepaid and return receipt requested; or (c) the next succeeding business day after deposit with a responsible overnight delivery service similar to UPS and/or Federal Express. Any notice sent by facsimile or electronic mail in .pdf format shall be immediately followed by one of the other methods of delivery of notice. Attorneys may send notices on behalf of their clients. Notices shall

be sent to the following addresses:

If to the Authority:

Marlene McCollem  
Planning and Community Development Director  
Carver Town Hall  
108 Main Street  
Carver, MA 02330

With a copy to:

Board of Selectmen  
Town of Carver  
Carver Town Hall  
108 Main Street  
Carver, MA 02330

and

Gregg J. Corbo, Esq.  
Kopelman and Paige, P.C.  
101 Arch Street, 12<sup>th</sup> Floor  
Boston, MA 02110

If to the Developer:

Robert Delhome, Manager  
Route 44 Development, LLC  
c/o Charter Environmental, Inc.  
500 Harrison Avenue, Suite 4R  
Boston, MA 02118

and

George A. McLaughlin, III, Manager  
Route 44 Development, LLC  
c/o The McLaughlin Brothers, P.C.  
One Washington Mall, 16<sup>th</sup> Floor  
Boston, MA 02108

4. **Termination/Expiration; Survival.** The parties agree that the words "termination" and "expiration," and their related counterparts, are used interchangeably in this Agreement. Any provision stated herein to survive the expiration of this Agreement and/or the termination of this Agreement shall survive the same, including provisions hereof that, by their

context or sense, are intended to survive the termination/expiration of this Agreement.

5. **Binding Effect.** This Agreement and all of the covenants and conditions contained herein shall inure to the benefit of and be binding upon the heirs, executors, administrators, devisees, legatees, personal representatives, or successors and assigns, respectively, of the Authority and the Developer.

6. **Waiver.** Any waiver of any right under this Agreement must be express and unequivocal, and must be in writing and signed by an authorized representative of the waiving party.

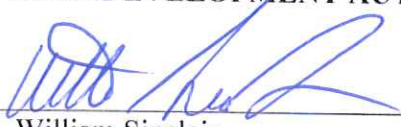
7. **Miscellaneous.** This Agreement shall be governed by and construed in accordance with the laws of Commonwealth of Massachusetts without giving effect to principles of conflict of law, and any matters or disputes regarding this Agreement shall be brought only in the courts of the Commonwealth of Massachusetts. All the recitals to this Agreement are incorporated herein and made a part hereof. This Agreement may be amended and altered only in writing signed by the parties hereto. This Agreement contains the entire agreement of the parties hereto with respect to the subject matter hereof and no representations, inducements, promises or agreements, oral or otherwise, between the parties not embodied herein shall be of any force or effect. If any provision of this Agreement is found by a court to be invalid or unenforceable with respect to any party, the validity and enforceability of the remaining provisions of this Agreement will not be affected thereby.

[signature page follows]



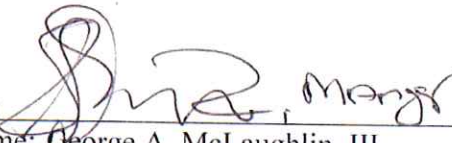
In Witness Whereof, the parties hereunto have set their hands and fixed their seals as of this 15<sup>th</sup> day of April, 2016.

**CARVER REDEVELOPMENT AUTHORITY**

By:   
Name: William Sinclair  
Title: Chairman

**ROUTE 44 DEVELOPMENT, LLC**

By:   
Name: Robert Delhome  
Title: Manager

By:   
Name: George A. McLaughlin, III  
Title: Manager

\* A corporate clerk certificate shall accompany the signature and be appended to this document.

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## **APPENDIX 6**

### **Citizen Participation Summary**

## **North Carver Urban Renewal Plan**

### **Citizen Participation Summary**

In October 2015, the Carver Redevelopment Authority (CRA) initiated a robust public outreach effort as part of the preparation of the North Carver URP. The CRA held a series of monthly public meetings to solicit input on the various iterations of the Plan. The monthly meetings, held at 7 p.m. in Carver Town Hall, were widely reported on in the newspapers, and televised on the local access cable access station. In addition to holding the public meetings, the CRA maintained an email list of interested residents who received versions of the URP as it was developed and updated, and advised them of the meeting schedule. The list included people from Carver, Plympton, Middleboro, and Plymouth.

In addition, North Carver URP planning materials were made available to the public on the CRA's Web site.

The CRA also opted to notify the abutting property owners in Carver, Plympton and Middleboro by certified mail of the Board of Selectmen's public hearings in order to increase the probability that all those affected would be aware of the Plan.

The following materials are provided as part of this summary:

1. Agendas from the October 28, 2015, through December 19, 2016, CRA meetings.
2. Meeting minutes.
3. Meeting sign-in sheets.
4. Correspondence received by the CRA.

The CRA will continue to meet with individuals, and business owners, community organizations and affected property owners and occupants as necessary to solicit input or to address concerns during the implementation phase of the North Carver URP. The CRA will continue to keep the public informed through project updates on its Web site and through media releases and the like, and will invite public comment and input as appropriate.



## **Carver Redevelopment Authority Meeting Agendas**



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, December 19, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Updated draft & outstanding items
  - b. Schedule for local approvals
  - c. Possible vote to approve the Draft North Carver Urban Renewal Plan
2. Receipt of an offer for 94 Forest Street—discussion and possible vote.
3. Bills Payable & Treasurer's Report
  - a. *Susan Hannon--\$75*
  - b. *Hayes Development Services--\$12,975.00*
4. Correspondence: *Rockland Trust letter dated 11.3.16*
5. Minutes: November 21, 2016
6. Next Meeting



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, November 21, 2016**

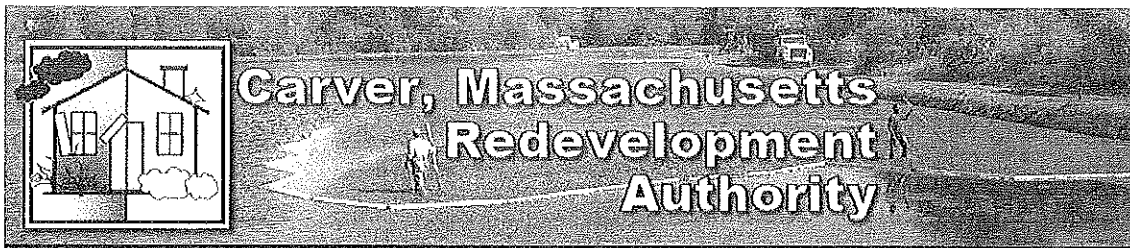
**7:00 pm**

**Carver Town Hall Room #1**

**AGENDA**

1. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Updated draft
  - b. Revised maps
  - c. Preliminary Relocation Plan
  - d. Correspondence: 9/27/16 email from K. Tusher; 10/25/16 email from G. Day
2. Bills Payable & Treasurer's Report
  - a. *Chris Champ--\$75*
  - b. *SRPEDD--\$948.88 (Master Plan Public Participation)*
3. Minutes: October 24, 2016
4. Next Meeting





108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

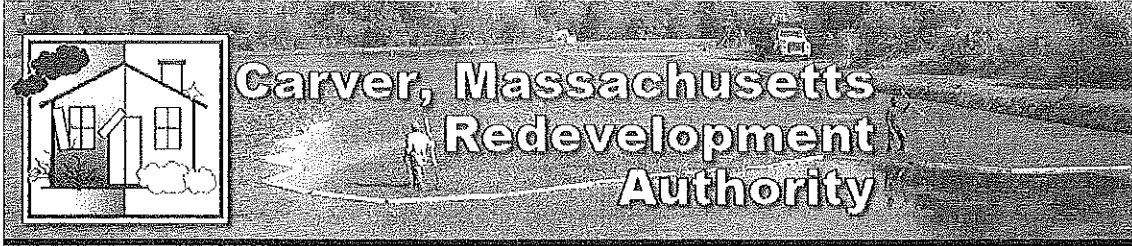
**Monday, October 24, 2016**

**7:00 pm**

**Carver Town Hall Room #1**

**AGENDA**

1. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Revised parcel listing
  - b. Updated draft
2. Bills Payable & Treasurer's Report
  - a. *Chris Champ*--\$75
3. Correspondence: September 23, 2016 letter from Rockland Trust
4. Minutes: September 12 & 26, 2016
5. Next meeting: November 21, 2016



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, September 26, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Receipt and review of annual financial statements prepared by Valerie Donovan.
2. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Potential impacts to the Cole & Melville residences
  - b. Roadway access & circulation
  - c. Design standards
3. Bills Payable & Treasurer's Report
4. Minutes: September 12, 2016
5. Next meeting: October 24, 2016



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, September 12, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Receipt and review of annual financial statements prepared by Valerie Donovan.
2. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Roadway access & circulation
  - b. Design standards
  - c. Urban Renewal Plan process vs. Special Permit process and enforcement of Planning Board conditions.
1. Bills Payable: *SRPEDD—Master Plan public participation in the amount of \$3,675.56*
2. Minutes: May 23, July 18, August 8, 2016.
3. Next meeting: September 26, 2016





108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

**Monday, July 18, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC;  
located off Montello Street in North Carver.
  - a. Discussion of the June 3, 2016 plan by VHB and the "Local's Alternative"  
plan by Bob Butler.
  - b. Discussion of the *preliminary* February 2016 draft of the URP (subject to  
substantial revision).
  - c. Discussion of the June 2016 Market Overview Study prepared by FXM
2. Correspondence (if any)
3. Bills Payable
4. Minutes: May 23, and June 6, 2016
5. Treasurer's Report
6. Next Meeting: August 8, 2016



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

**Monday, June 6, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Further revision of the concept prepared for the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
2. Bills Payable
3. Minutes: May 23, 2016
4. Treasurer's Report
5. Next Meeting: Monday, July 18, 2016



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:  
CARVER REDEVELOPMENT AUTHORITY  
AND  
BUSINESS DEVELOPMENT COMMISSION**

**Monday, May 23, 2016  
7:00 pm  
Carver Town Hall Room #1**

**AGENDA**

1. Further discussion of the concepts prepared for the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
2. Property disposal for 94 Forest Street.
3. Governor's Appointment for vacant seat.
4. Article 40 from the May 21, 2007 Town Meeting re: transfer property at 17 Green Street from Board of Selectmen to the Redevelopment Authority.
5. Bills Payable: *Christine Champ (Invoices 114 & 117)*  
*Maureen Hayes (May 9, 2016)*
6. Minutes: March 21 & April 13, 2016.
7. Next Meeting: Monday, June 27, 2016.





108 Main St, Carver, MA 23330

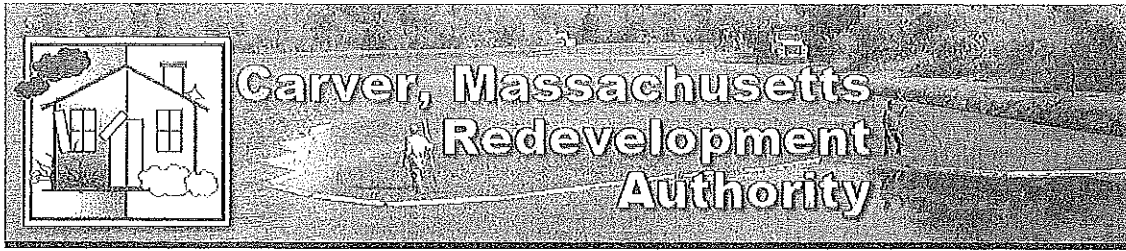
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SECTION 20B

**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

**Wednesday, April 13, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Discussion with property owners inside the limits of the Proposed North Carver Urban Renewal Plan.



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
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SECTION 20B

**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

**Monday, March 21, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Continued Discussion of Rt-44 North Carver Urban Renewal Plan
  - a. Concept plan
  - b. Public outreach
2. Financial Report
3. Treasurer's Report
4. Bills Payable: *Hayes Development Services, Inc.*  
*Christine Champ*
5. Minutes: January 4 & February 1, 2016
6. Public Comments
7. Member Comments
8. Next Meeting: *Wednesday*, April 13 at 7 PM?



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
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SECTION 20B

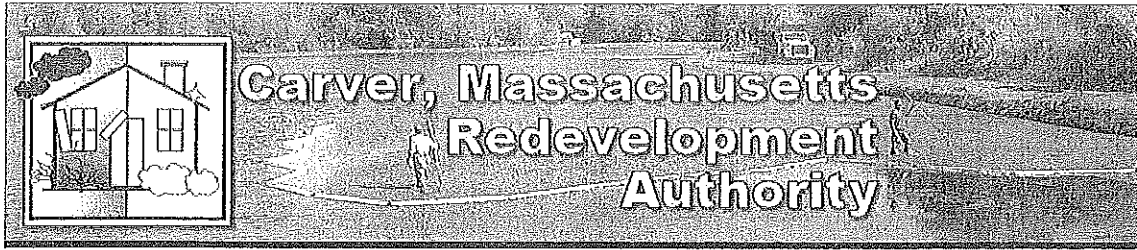
**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

**Monday, February 1, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Continued Discussion of Rt-44 North Carver Urban Renewal Plan
  - a. Concept plan
  - b. Public outreach
2. Bills Payable
3. Public Comments
4. Member Comments
5. Next Meeting: Monday, March 14 at 7 PM





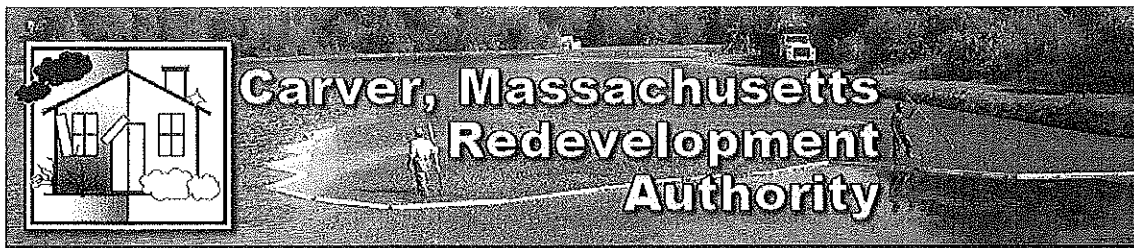
108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**  
**Monday, January 4, 2016**  
**5:30 pm**  
**Carver Town Hall Room #3**

**AGENDA**

1. Presentation of conceptual plan for 94 Forest Street by Morse Engineering, Inc.
2. Continued Discussion of Rt-44 North Carver Urban Renewal Plan
3. Treasurer's Reports - Discussion and possible vote
4. Bills Payable (if any)
5. Public Comments
6. Member Comments
7. Next Meeting: Monday, February 1, 2016?



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**  
**Monday, December 7, 2015**  
**5:30 pm**  
**Carver Town Hall Room #4**

**AGENDA**

1. Rt-44 North Carver Urban Renewal Plan
  - a. Discussion about Maureen C. Hayes' presentation of November 18, 2015.
  - b. Update from Marlene McCollem re: staff meeting with DHCD
  - c. Discussion of property to include within the boundary.
2. Treasurer's Reports - Discussion and possible vote
3. Bills Payable – Discussion and possible vote
4. Public Comments
5. Member Comments
6. Next Meeting: Monday, January 4?



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**  
**Wednesday, November 18, 2015**  
**5:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Discussion with Maureen C. Hayes Re: the Rt-44 North Carver Urban Renewal Plan.
  - a. Background on MGL Ch. 121B and Urban Renewal Plans
  - b. Purpose, process, plan requirements, schedule
  - c. Next steps
2. Minutes: October 28, 2015
3. Public Comments
4. Member Comments
5. Next Meeting





108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**  
**Wednesday, October 28, 2015**  
**6:00 pm**  
**Carver Town Hall Room #3**

**AGENDA**

1. Route 44 Development – Discussion of the conceptual plans for the area North of Rt-44 and West of Rt-58 that may be included in a future Urban Renewal Plan.
  - a. Proposed vision for future development
  - b. Potential property acquisition, infrastructure and utility improvements
  - c. Next steps
2. Minutes: September 21, 2015 – Discussion and possible vote
3. Treasurer's Reports - Discussion and possible vote
4. Financial Report - Discussion and possible vote
  - a. SRPEDD contract for the Master Plan & transfer from the Business Development Commission.
5. Bills Payable – Discussion and possible vote
6. Update: 94 Forest St. (0 North Main; Map 49 Parcel 6)
7. Public Comments
8. Member Comments
9. Next Meeting

## **Carver Redevelopment Authority Meeting Minutes**



**Meeting Minutes for December 19, 2016; 7:00 PM, Carver Town Hall, Room 1**

Attendees: William Sinclair, Chair; Johanna Leighton; Mr. Abatiello; Charles Boulay

Also in attendance: Marlene McCollem, Planning and Community Development

The meeting was opened, by Mr. Sinclair, at 7:01 PM.

***Further discussion of the Urban Renewal Plan; 127-acre parcel, owned by Rt – 44 Development, LLC - located off Montello Street, in North Carver.***

- A. Updated draft and outstanding items: Ms. McCollem – Unfortunately my laptop is in the shop so we will review the updates with the handouts provided (everyone received a handout with the maps, etc.). The board members have a version of the plan and appendixes.
- ⇒ Page 1, map B - the spot clearance map has been changed so you can see in the rectangular lot. The Tusher property is not existing property to remain
  - Map c – existing parcel boundaries – I want to make sure everyone is clear that the boundaries are approximate and based on public record. These maps are not surveyed boundaries.
  - ⇒ Table 8 – This is from page 57 in draft plan and includes budget line for acquisition surveys and title searches. Before any property is acquired, a survey and title search would have to be done before property is transferred. This would document property boundaries. The figures in the plan are based on parcel data and not an instrument survey.
  - ⇒ Map G – Two changes – the rectangle for the Tusher property has changed from full to partial acquisition. Northern Webby property also added to a partial acquisition.
  - ⇒ The matrix - table 2 page 25 of the plan, lines 12, 23 and 24 are changes mentioned above.
  - ⇒ Map H – disposition parcel amended to reflect map G change. The three dark grey are outlined as partial acquisitions for roadway realignment only. On the matrix table, the second column from the right on line 12, 23 and 24 is the table version
  - ⇒ Map I – The warehouse was shifted so as to avert the Tusher property.



- ⇒ Next slide, which is page 67 of plan, 1<sup>st</sup> paragraph. Ms. McCollem read paragraph – What we are saying is that map I is one POTENTIAL concept and not a promise of what it will look like on the ground. The square footage may change, the buildings may be in a different configuration, etc. This is just one potential use.

#### Previous conversation

Table 5 & 6 (page 44 and 45 of plan); these have been finalized. Table 5 has sq. ft. and cost per sq. ft. for each type, with projections. This again is one estimate and not a promise. There may be actual variances when it comes time to actual construction. Table 6 has the same type of exercise. We are assuming, sq. ft., land uses and employment numbers. These are subject to change with actual construction.

The next slide shows the schedule of public actions (page 59 of plan) Board of Selectmen set hearing date for January 5. We have decided to notice the BOS hearing as Urban Renewal Plan developed under 121 B which doesn't specify notice to abutter and public notification in paper. BOH doesn't require newspaper ads, but does notice abutters, the planning board, under 40A and definitive plan under chapter 41 will require 2 paper notices and notify all abutter within 300 feet. An ad was in last week's paper and a second ad will be in this week's paper. Carver, Plympton and Middleboro will be mailed to this week. The planning board has to make a vote for two findings. If you are ready they could vote on the 27<sup>th</sup> (their next meeting.) The two findings are as follows:

1. The Planning Board vote is very specific. They have to decide that they can find that the plan is in concert with a master plan for the community. track.
2. The plan has to be based on a local survey. This is not a survey like a land survey. They are looking for the Planning Board to look at methodology of this current plan. Maureen Hayes and I have done numerous site visits and compared field cards, etc.

This board needs to take a vote and then it can be forwarded to planning board.

The Board of Selectmen will be the final and 3rd vote.

The next slide – MEPA doesn't issue a permit per say but they do a review. In order to submit, you have to file with MEPA. Ms. McCollem and the Board will be working on an environmental plan that will be sent to MEPA. Once you vote your plan, we can move forward with this. MEPA can be a little confusing because we are filing for the plan. Table 1 on page 6 are propose UR action. It doesn't include any individual building projects that will come late. The plan part will come under one MEPA review. If you need alterations, they will tell you how to handle. All of the environmental concerns dealing with the individual buildings. And impacts will be reviewed by MEPA separately when information is there. They

will talk directly to the project developer for any building projects. This is a confusing process, don't hesitate to ask any questions.

Town council has to right an opinion that your plan is in compliance with 121 B. They haven't done it yet, but it is underway. The board will need to fix anything that comes up.

Page 64 of draft. – relocation due to URP. Table 9 has been revised to remove the Tusher property.

Section 12 citizen participation (page 68 of plan). This is not completed and will continue to be updated.

In the Appendix, #2 is engineering report. Describe assumption of budget estimates. This is not for the buildings its only for preparing site to be built on. Table 2 includes estimates. This may need to change (i.e. may need more or less main and hydrants)

Appendix 2 - Included anticipated schedule for activities. This right now is just organized by year and dependent on the permitting process and the markets ability to fund.

Appendix 3 - Follows the process on page 59. This will be populated as dates and votes happen.

Appendix 4 - Location plan updated to remove the Tusher home

Appendix 5 – A copy is attached.

Appendix 6 - Citizen participation summary includes minutes, agendas and any correspondence. This will be updated as we go.

Mr. Sinclair – any questions from the board – Ms. Leighton - None; Mr. Abatiello – Yes, On map H, the corner across from the Tusher property at the bend in the road. There was an email. Ms. McCollem – Mr. Butler sent an email. This is in reference to the northern piece. This boundary will be part of the survey and title research that has to be done. It bounds the Walsh property. It is a line that we do need to determine before the property is turned over. Mr. Sinclair – no questions; Mr. Boulay – no questions.

Mr. Sinclair – I want to discuss the changes to the Tusher property. This property is now listed as partial for roadway realignment only. What does the board think? Ms. Leighton – I feel this should be removed and we do not need to take any roadway for realignment. I feel the board should make that correction and remove it. Mr. Abatiello – I would like to totally agree but we need to discuss language just in case we need to acquire any of the Tusher

property to handle a roadway adjustment. If, however, the majority of the board wants to take it off, I have no problem with that. Mr. Sinclair – I agree with Mr. Abatiello as far as roadway improvement may have an effect on the Tusher property. We also still have concerns on the Webby property. To put a partial acquisition on a property that might be needed for roadway, Mr. Abatiello – Is there a town easement for property? Ms. McCollem – No, there is a layout, the property line is the layout. Currently there is space around the paved surface that can be used to change/widen layout. If the layout is not enough space to accommodate the design, we don't have a survey as of right now, we don't have a design, there is a lot of uncertainty. Using the layout won't affect anyone's private property. If you don't have the layout necessary, the project could be redesigned or you are going to shift improvements to the east utilizing more of the Webby property. If you want to say that 100% of the Tusher lot is off limits, you can do that, but you have to understand that you have to use as designed and/or move east to the Webby property. This is a very conceptual master plan. Mr. Abatiello – It looks like we have a couple of different options. If we remove the Tusher property it shouldn't affect us.

*Motion to remove the Tusher property from the map and from the Urban Renewal Plan from partially acquired to Not to be acquired. Mr. Abatiello  
Second Mr. Boulay  
Approved Unanimous*

Ms. Leighton – Master plan question. Ms. McCollem – The Planning Board had a very good discussion about this. Look in the draft plan on page 27. The Planning Board is concerned that we are out of sync. Page 27 second bullet. The 2001 plan is in effect. The town's master plan is being updated and it is clear the subject area will continue to be a priority. The Planning Board has to find that the Master plan is consistent with the Urban Renewal Plan. The Planning Board understand that it is in the old one and is coming in the new one.

Mr. Sinclair – Any other questions? – none

Mr. Sinclair – Are there any audience member with any questions or concerns?

Mr. Tusher – I just want to thank you for your vote. I don't know if the zoning of our property will be changed. Ms. McCollem - Currently your property is zoned as green business park. The Planning Board has made a motion to rezone some property. Would you like to have it rezoned to residential/agricultural? Mr. Tusher would like to think about that. Ms. McCollem – We won't change anything unless I hear differently from you.

Gordon Massingham – Montello Street, Plympton. – Thank you for removing the Tusher property. I would also like to bring some facts and figures. Something north of \$32,000,000, 1500 job, +\$5,000,000 in taxes. Page 8 Citizen participation I noticed in the added parts you put in a lot of the minutes and comments. But no where was it noted the overwhelming lack

of approval from the citizens. This should be noted. A map proposed a giant substation, this should be rethought. Page 31, the town master plan encourages use of tax incentive. Has any been offered to RT 44 Development? Mr. Sinclair- NO. North Carver Water District - I approached the chairman and was informed that it wasn't on his radar; Overcoming a major obstacle to the development of the NCWD has not been overcome. You are not considering the cost of all this. There is inadequate water pressure to provide water to an enormous park. The priority should be fire protection. Water supply is not reflected in the plan. Page 50 - Expand housing opportunities in Carver; in particular, affordable housing. It also talks about design elements which appeared recently in this process. There should be some type of barrier between houses and warehouse, such as a green area or a wall. Mr. Massingham also noted that it has been suggested that the parking lots face the roadway and not residents, there is nothing reflected here. Page 60 – As they are the only financial option, has anyone followed up to see documentation that Route 44 Development is able to pay for this project? Ms. McCollem – Yes, it was part of the analysis done last April. Appendix – The statement “statistically unreliable”. Have we looked at the marketing plan to follow up – No evidence to that. Appendix 5 – the phrase eminent domain is still used and should be removed. The citizens are against this idea.

Ms. McCollem – Mr. Chairman I would like to clarify the North Carver Water District had a DIF that includes this area. 50% of the increase of new growth is sent to fund the North Carver Water District; this won't change for this project. Table 8 - in the plan on page 58, \$2.5 mill dollars for a water tower that would provide the water for the hydrants in this development and is tied into the public water system. It would serve this development and storage. Appendix 5 – In the preliminary development agreement, the phrase *eminent domain* has been in existence since April and I don't recommend you strike it.

John Bonaserra – South Carver. I am happy you took the Tusher property from the plan but there are 11 additional properties. I would like to say that taking property through eminent domain is not ok.

Karen Tusher – Thank you to each of you for your vote. It means more than you will ever know.

Darlene Cassiani – Plymouth – Eminent domain properties – Is the town prepared financially, to absorb the cost or is the developer going to absorb this? Ms. McCollem – it is covered in the developer's agreement.

Mr. Sinclair – Thank you for your comments and questions. ‘

B. Possible vote to approve the Draft North Carver Urban Renewal Plan:



Ms. McCollem. – If you move to vote the plan it would be conditioned with all updates including removing Tusher property from partial to no acquisition. Mr. Sinclair – This will be noted in any motion. Ms. Leighton – This will also contingent on any other changes. Ms. McCollem – Yes when the final vote happens all changes will be included.

*Motion was made to approve the Draft North Carver Urban Renewal Plan with the removal of the Tusher property from partial acquisition and listed as Not to be Acquired, with any updates: Ms. Leighton  
Second: Mr. Abatiello  
Approved: Unanimous*

***Receipt of an offer for 94 Forest Street – Discussion and possible vote***

Mr. Sinclair - At this time I will excuse myself, as the potential person who made an offer is my landlord.

Mr. Abatiello – Purchase price is \$170,000 to seller for purchase of this premises. Do we accept that offer? Ms. McCollem – this is the lot that you own across the street from the glass company/Quickeez. Morse engineering did some preliminary work for you. We listed the property at \$250,000 with no activity. As some point you lowered the price to \$200,000. This is the first offer received. Ms. Leighton – Are there any restrictions? Ms. McCollem – No, just the regular town zoning limits. Mr. Abatiello – They will have to file for permits? Ms. McCollem Yes. They have to meet all requirements for set backs. Ms. Leighton – What were the engineering costs? Ms. McCollem – they were minimal. Mr. Abatiello - What is the pleasure of the board?

*Motion to accept the offer for \$170,000: Mr. Boulay  
Second: Ms. Leighton  
Approved: Unanimous (3-0) – Mr. Sinclair was recused*

***Bills Payable and Treasurer's Report –***

The balances, in the following accounts, are as of November 30, 2016.

- Checking - \$ 1602.07
- Urban Renewal Plan Account - \$28,886.27
- Savings Account - \$27,845.43
- 

Savings interest YTD is \$29.34

Approved by the CRA on January 5, 2017

Urban Renewal interest YTD is \$8.90

- A. Susan Hannon - \$75.00 – Checking Account
- B. Hayes Development Services - \$12,975.00 URP Account

We will need to move \$12,975 into checking account.

*Motion to pay as submitted with movement of \$12,975 from Urban Renewal Plan account to the checking account: Mr. Abatiello*

*Second: Mr. Sinclair*

*Approved: Unanimous*

*Motion to approve treasurer report as presented: Mr. Sinclair*

*Second: Mr. Boulay*

*Approved: Unanimous*

*Motion to pay Susan Hannon and Hayes Development Services: Mr. Boulay*

*Second: Mr. Abatiello*

*Approved: Unanimous*

### ***Correspondence:***

*Rockland Trust letter dated 11/3/16 – a copy of this letter is attached*

Mr. Sinclair read the letter to the Board.

This is great news. Job well done by Ms. Leighton, Valerie and Ms. McCollem!

Ms. Leighton - Requested yearly report be moved to April. This was not an issue.

### ***Minutes: November 21, 2016***

Minutes were reviewed.

*Motion to approve meeting minutes as recorded: Ms. Leighton*

*Second: Mr. Boulay*

*Approved: Unanimous*

***Next Meeting: January 5, 2017***

Ms. McCollem. I recommend that you post your next meeting Thursday Jan 5, 2017 at 7:00 p.m., during the next Board of Selectmen meeting. If you want to address the board you can. You may want to post it to start at 6:30. I can put you in room 4 and then you can move to room 1 at 7:00.

*Motion to hold our next meeting on 1/5/17, in room 4: Mr. Abatiello*

*Second: Mr. Boulay*

*Approved: Unanimous*

Mr. Sinclair – I would like to wish everyone a safe and happy holiday.

Christine Joy – I emailed you re: closing Montello to thru traffic. Ms. McCollem – Yes, we have this, it is in Appendix 6.

***Adjournment:***

*Motion was made to adjourn this meeting was made at 8:28 PM: Mr. Abatiello*

*Second: Ms. Leighton*

*Approved: Unanimous*

APPROVED  
Nov. 21, 2016

**Carver Redevelopment Authority  
Minutes for Monday, October 24, 2016**

Call to Order: The Carver Redevelopment Authority met on October 24, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. This meeting was videotaped for cable cast area 58, channel 15.

Members Present: William Sinclair, Chairman; Johanna Leighton, Treasurer; Charles Boulay, Secretary; Brian Abatiello, Vice Chairman

Also Present: Marlene McCollem, Planning Director; Christine Champ, Recording Secretary

The meeting was opened by Mr. William Sinclair at 7:00 p.m.

1. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Revised parcel listing

Chairman Sinclair read the notice from the agenda. Ms. McCollem said, based on the votes from the last meeting, two properties were added. She wanted all to look at to make sure it was what they wanted. Ms. McCollem said they voted to change the Cole property from partial to full acquisition. She said this included bog road network, bogs, reservoir, et cetera. They would also acquire two additional parcels owned by Melville. Ms. McCollem wanted to bring attention to the fact that another Melville parcel was in agricultural use and that parcel was not included. She referred to same as Melville bogs. Ms. McCollem wanted it noted that it was only referring to the bogs in the southern part of property, not in the northwest corner. She said the next step was the relocation. Ms. McCollem said by adding those properties, they had crossed the threshold of the state. She included an estimate given by Steve Mallachi (phonetic) in the amount of 2,250, in order to do a preliminary relocation plan. Ms. McCollem said the services included four residential occupants and two commercial occupants. She said one home was vacant and if it changed, it must be reflected. Ms. McCollem said the bogs were commercial use and there was a commercial value and it had to be considered. She said now the threshold had been crossed and it must be added into the work. Ms. McCollem said it was the same procedure with Steve Mallachi (phonetic) as the others retained to do work.

Ms. Leighton wanted to have it reiterated, what Ms. McCollem said about the four bogs. Ms. McCollem obliged and covered the material. She indicated there would be some relocation for bog use. Ms. McCollem said they were not sure yet about how the relocation worked for the agricultural use. She continued to explain to Mr. Abatiello as well. Ms. Leighton wondered if the bogs were active and Ms. McCollem said they were. Mr. Abatiello asked if the house was vacant and Ms. McCollem said it was but if it was occupied during the process, the status must



be changed on the plan to an occupied property.

Chairman Sinclair questioned if there would be actual appraisals and Ms. McCollem said there would not. She said there would be a relocation that you would follow if relocation was necessary. Ms. McCollem said the plan laid out the steps under the law to follow. Chairman Sinclair asked if it was just procedure, step-by-step. Ms. McCollem said it was preliminary. So, the appraisal done today would not be any good in two years. Ms. McCollem said if the Urban Renewal Plan was approved and moved into implementation, the plan had to be finalized. She said the information could not be stale; that it must be current. Chairman Sinclair said, regarding property bogs with vacant homes, he would prefer they take it and evaluate it as occupied. Ms. McCollem said she would talk to Steve about that. She said they must give the facts and she thought it could be evaluated for relocation purposes. Ms. Leighton asked, regarding the same, supposing he wanted the house moved, was it relocation at that point? She wanted to know, what if he wanted the house moved? Ms. McCollem said at the preliminary plan, they were not getting into specifics. She said it was based on two preliminary appraisals.

Ms. McCollem said the Urban Renewal Plan had a 20-year life. She said the plan was good for so long that so many things could and would change over time. Ms. McCollem said as things happened, pieces had to be finalized and you could not anticipate what happened in the future. Chairman Sinclair asked how long the work would take and Ms. McCollem said it was a ten-hour scope of work. She said she would expect that she would have it before the next meeting so they could discuss it at that meeting.

Chairman Sinclair asked the Board if there were any further questions.

Mr. Abatiello wanted to clarify, he was supposed to follow the plan of the work scope planned, and Ms. McCollem said yes. She said the plan must be final and the Board should let her know if there were any changes. That was it. Ms. McCollem said his work was based on what they were telling him.

Chairman Sinclair asked again and there were no questions from the Board.

**MOTION:** By Ms. Leighton to enter into a contract with Steve Mallachi (phonetic) for a relocation plan, not to exceed 2250.

**SECONDED:** By Ms. Boulay

**APPROVED:** Unanimously

b. Updated draft

Per Ms. McCollem, she said there were a couple of pieces. She was not able to send out as an attachment because the file was so big. Ms. McCollem said she'd get it out without the pictures and graphics. She apologized for the size and lateness and said she put in a link. Ms. McCollem went over the maps which were also on the overhead screen.

There was an ariel photograph showing the scope of the area, approximately 300 acres, which were not all scheduled for development. The next visual was a topography map. The figure showed the structures to be, over the next 20 years, scheduled for demolition, if all went by the plans. The next showed parcel identification, which on the spreadsheet corresponded to the Assessor's map. The colors showed the land uses today with the legend at the bottom. Next was the current zoning map. The next map showed one parcel that would require a zoning change to green business park. The next one looked like a parcel map again. The flag on Montello Street showed where in the plan area you would have public ways. It was bounded by 58 and 44. Montello was the only public way in the whole plan area. The next plan correlated to the proposed plan. Ms. McCollem continued to describe the plan documents. She said that was the last map.

Ms. McCollem asked if everyone could look at the materials for mistakes, clearness, et cetera. She said if anything was confusing, she would try to present it in another way. Ms. Leighton asked about 22-5-C, North Main, Town of Caver, that was highlighted and she wanted to know why. Ms. McCollem said it was not. Chairman Sinclair asked if all the group received all of the maps and Ms. McCollem said she did not send out the maps but would put them online so all could see. She added that people may have received some but there were still more. Ms. McCollem said she was happy to answer any questions now or after the review.

Chairman Sinclair said all would read and review and he told the attendees in the audience to do the same. Ms. McCollem apologized for sending so much. She next went over the draft guidelines with all. She said if the Board agreed with the idea in it, eventually it must be incorporated into the plan. (Design draft).

Ms. McCollem said the zoning was changed in 2010 or 2013. She said it pretty well encapsulated all the necessary specifications they would have with additional controls on future development. It included lighting, landscaping, roofs, impacts of very large buildings. She said it was very broad and very generalized but it was for the control of future development. Ms. McCollem wanted to know if she had forgotten anything or missed anything.

Her draft suggestion was that the Board, when using and applying to the project, do with the Planning Board. Ms. McCollem thought the end result would be much better. She said it made sense for the Carver Redevelopment Authority to work jointly with the Planning Board so the two Boards could coordinate the review. Ms. McCollem said it was something for the Board to think about and the Board members said they thought it was a great idea. She wanted to know for the next meeting.

Chairman Sinclair thought, for control, people would know that this was through the Urban Renewal Plan. He wanted to know if, as part of the Urban Renewal Plan, could they require that things were kept up? Chairman Sinclair said he noted in a South Shore community that some buildings were in bad shape. Ms. McCollem said they would last the life of the plan but they would expire. She said after that point, they would not exist anymore. Chairman Sinclair wanted

controls if a potential tenant came in and left, as the empty building could sit there unmaintained. He said it directly impacted what they were creating and he wanted the person who left, to be responsible for the upkeep. Chairman Sinclair wanted some type of control through the Urban Renewal Plan that that was in the plan.

Mr. Abatiello said that took place at Sam's Club, where they kept maintaining the building after it was empty and he thought it could be worked out. He thought Chairman Sinclair had a good idea. Mr. Abatiello wanted to know if it was unspoken or if it should be in the plan. Ms. McCollem said it should be written in, that it was important they put something in to say it must be per the covenants of the park. She said private covenants would be stronger, but at a high level to say it is important to the Board. Chairman Sinclair said there would be no control over private covenants so if they got it put into some decision then the Town had some control. Ms. McCollem thought Sam's Club was a good example. Chairman Sinclair noted Norton Industrial Park, having building issues but good landscaping. He wanted it worked into the plan.

Chairman Sinclair said since it was a green business park, it was not noted as having energy efficient lighting, but he would like Led lighting, night-scape lighting, direction lighting, et cetera. He wanted it included in the language. Ms. Leighton asked about where the solar lighting was and Ms. McCollem said it was in the plan. Ms. Leighton said there was acreage of solar at Plymouth. Ms. McCollem said it was an allowed use in the zoning district and right now, solar could be installed. She added if they wanted to limit or control, they needed to know. Chairman Sinclair said the solar panel acreage in the green business park contradicts the type of park and that it was not aesthetically pleasing. Chairman Sinclair thought maybe they could camouflage it on rooftops but not over the top of a facade. There was further discussions between Ms. Leighton, Mr. Abatiello and Chairman Sinclair. Mr. Abatiello spoke about solar panels on roofs versus what you see on the side of the road. Chairman Sinclair said he thought there were some types of solar and they needed to discuss and review. Ms. McCollem said she would add a point for solar.

Ms. McCollem said, regarding the conversation they needed to have regarding solar, was the solar an accessory use to the building on the site or was the solar the principle use on the property and the only thing there? She asked Mr. Abatiello if he would be more comfortable if it was an accessory and he said yes. Mr. Abatiello did not want to have a ground farm on that site. Ms. McCollem continued to ask of the Board specifics for options on solar lights. Mr. Abatiello wanted rooftops only and Chairman Sinclair agreed. Ms. Leighton disagreed. Ms. McCollem said if there was a change, a change in the bylaw would be required. There was no vote but Ms. McCollem wanted them to think about it.

Ms. McCollem asked if there was anything else in the guidelines and said that was a good, critical thing that needed to be hammered out.

Mr. Abatiello said the loading docks and things of that nature were a concern. Ms. McCollem said it depended on what lot and the size of the building and other variables. She referred the

Board to Page 1. There was further discussion about loading dock concerns. Ms. McCollem said she was trying to deal with that under building orientation. Also truck impacts, if the building generated large truck traffic. Ms. McCollem said she was open to suggestions regarding additional language for the plan, only putting in important items.

Chairman Sinclair asked about the environmental design guidelines. He said the idling of trucks should not be allowed; noise impacts, if a large facility, needed additional buffering; lighting impacts should be in place for shading. Ms. McCollem said the lighting was addressed on Page 3 and there was more under environmental impacts. She told Chairman Sinclair that Led lighting could be added. Chairman Sinclair was looking for Led under lighting, for shading, et cetera. Ms. McCollem said none of the lighting standards had been deleted and he was concerned about those types of things.

Chairman Sinclair asked the Board if they had anything else and they did not.

He then addressed the public, requesting if they had anything, to send it to the Board for inclusion on the next agenda. Chairman Sinclair said to send it to the Board, as it would be appreciated greatly.

Ms. McCollem said a lot of information had been added to the draft plan. She thought the old one was dated February. Ms. McCollem said infrastructure and engineering had been added. She asked if the Board was in agreement, as she needed to know. Ms. McCollem said she and Maureen would continue to work on.

Chairman Sinclair asked if the Board was okay with all and the answer was yes.

Chairman Sinclair told the public if they had brief comments, they could be heard. He added, they could provide in writing and that would help.

Melissa Singletary of 4 Heather's Path had two questions. She wanted to know when they would be talking about the roadway again. Chairman Sinclair said they were trying to keep all contained and it would be better defined when in writing. Her second concern was regarding an owner of a gym at Sylo Marketplace telling people that Amazon was moving in. Chairman Sinclair had no idea who was coming. Ms. Singletary said the owner of the gym was trying to sell. Chairman Sinclair was not aware of the information and was not able to help.

Christine Kirkland of 20 Montello Street wanted to know when the start was for the 20-year Urban Development Plan. Chairman Sinclair said, after that stage, the final documents would go to the Planning Board, the Board of Selectmen, the Department of Housing and Community Development. He said when it eventually gets through the State, then it starts. Ms. Kirkland wanted to know if it was at the groundbreaking and Ms. McCollem said it was the date DHCD approved, then they had 20 years to build. Ms. Kirkland asked if it was for the entire park and Chairman Sinclair said it was for the Urban Renewal area. Ms. McCollem said because of the



long time frame, the 20-year time frame, if a future Redevelopment committee had to change or add any area to be acquired, it would trigger a major plan amendment and would require the whole process to happen again. She said if the market went crazy, a future Redevelopment Authority might take advantage of that and if it was not working, it could be changed. Ms. Kirkland asked if it was amended, would it be 20 more years or the existing years. Ms. McCollem said that would be a decision that the Redevelopment Authority would have to make on the scope of change. Chairman Sinclair asked who would decide and Ms. McCollem said it would be the Redevelopment Authority. She said she could not speak for the State or what the Redevelopment Authority would propose in the future. As an example, Ms. McCollem added, if you were adding 350 acres, you might want to consider adding a new plan instead of a plan amendment.

Ms. Singletary asked if the correspondence were being read that night and Chairman Sinclair said he only had a correspondence from Rockland Trust Company. Ms. McCollem said she had something from the Tuschers and she would find it. Chairman Sinclair did not have it. Ms. Singletary asked if it would be available for the next agenda and Chairman Sinclair said absolutely; that it would be brought up at the next meeting.

## 2. Bills Payable & Treasurer's Report.

**MOTION:** By Mr. Batiello to pay \$75 to Christine Champ for secretarial work

**SECONDED:** By Ms. Leighton

**APPROVED:** Unanimously

Ms. Leighton said the checking account had 453.07, the savings had 29,740.53 and the Carver Urban Renewal Plan had 28,510.64. She addressed the transfer on 9/27 (Val Varasso) and noted she moved it from Carver Urban Renewal instead of savings and she would go to Rockland Trust Company and take care of same. Ms. Leighton said on the next one you would see in the savings a minus of 375 and in the Carver Urban Renewal Plan a plus of 375. She said the savings interest was 34.44 and Carver Urban Renewal Plan interest was 7.46. Ms. Leighton asked about a check sent to Val which had not been cashed and she said she would call about it.

**MOTION:** By Mr. Abatiello to accept the Treasurer's Report

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously

## 3. Correspondence: September 23, 2016, letter from Rockland Trust

Chairman Sinclair wanted to talk about the gift agreement with Route 44 development. Ms. McCollem said one was for Maureen Hayes, \$44,000. Ms. Leighton said she did not have this. Chairman Sinclair said it would be changed. He then said they were still holding for FXM, 10K, of which, 8K was spent. Chairman Sinclair said, so third, could utilize the 2k being held, and

needed additional \$250 to cover Steve's work. He continued to read from a paper regarding gift and said it was different entities.

**MOTION:** By Ms. Leighton for authorization for donation, having chairman sign the agreement for donation

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously

Mr. Abatiello wanted to say, in the future, could all get copies. Ms. Leighton asked for same. Ms. McCollem said once it was signed, she would give to all.

Regarding the correspondence of Rockland Trust Company, Chairman Sinclair spoke about the temporary extension for the 30,000 line of credit which expired 9/30/16. Rockland Trust Company extended to December, 2016. Chairman Sinclair said, "prior to the extension, you may continue," per the letter he was reading. He read, "unless modified or extended before expiration of 12/31/2016, it will expire." Chairman Sinclair said they needed financial statements. He read the letter into the record. Ms. Leighton said they had not received any correspondence to extend and she would follow up. She said it looked like they did not get information. Ms. Leighton said she would reach out to Valerie. She said she was also trying to go back to the original April on a report. She needed to see about both.

4. Minutes: September 12, 2016 and September 26, 2016

Regarding the minutes of September 12, 2016, all Board members were present.

**MOTION:** By Mr. Abatiello to approve the minutes of September 12, 2016, as written

**SECONDED:** By Ms. Leighton

**APPROVED:** Unanimously

Regarding the minutes of September 26, 2016, Mr. Abatiello was not present and he could not vote. He abstained from voting..

**MOTION:** By Ms. Leighton to approve the minutes of September 26, 2016, as written

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously

5. Next meeting: Monday, November 21, 2016

**MOTION:** By Ms. Leighton to have the next meeting on November 21, 2016, at 7:00 p.m.

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously

**MOTION:** By Mr. Abatiello to adjourn at 8:29 p.m.

**SECONDED:** By Ms. Leighton

**APPROVED:** Unanimously

**Exhibits:**

Exhibit A: Agenda

Exhibit B: Treasurer's Report



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, November 21, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Updated draft
  - b. Revised maps
  - c. Preliminary Relocation Plan
  - d. Correspondence: 9/27/16 email from K. Tusher; 10/25/16 email from G. Day
2. Bills Payable & Treasurer's Report
  - a. *Chris Champ--\$75*
  - b. *SRPEDD--\$948.88 (Master Plan Public Participation)*
3. Minutes: October 24, 2016
4. Next Meeting





**Treasurer's Report - January thru Oct 2016**

<u>Post Date</u>	<u>Check Number</u>	<u>Description</u>	<u>Checking Account</u>	<u>Savings Account</u>	<u>Principal Loan Account</u>	<u>Interest Loan Account</u>	<u>Carver Urban Renewal Plan Account</u>
Balance 12/31/2015			\$ 602.63	\$ 32,375.69			\$ 40,003.08
1/30/2016		Interest on MM		2.74			1.02
1/30/2016		Interest on CURplan	\$ 602.63	\$ 32,378.43	\$ -	\$ -	\$ 40,004.10
Balance 1/31/2016							
2/2/2016		Transfer to Ckng - Hayes Developmt					(6,675.00)
2/2/2016		Deposit from CURplan	6,675.00				
2/4/2016		1198 Hayes Development Svs	(6,675.00)				
2/19/2016		1197 Christine L. Champ - Minutes/Sectry	(75.00)				
2/28/2016		Interest on MM		2.57			0.80
2/28/2016		Interest on CURplan	\$ 527.63	\$ 32,381.00	\$ -	\$ -	\$ 33,329.90
Balance 2/29/2016							
3/23/2016		Transfer to Ckng - Hayes Developmt					(4,650.00)
3/23/2016		Deposit from CURplan	4,650.00				
3/25/2016		1199 Christine L. Champ - Minutes/Sectry	(75.00)				
3/31/2016		Interest on MM		2.74			0.81
3/31/2016		Interest on CURplan	\$ 5,102.63	\$ 32,383.74	\$ -	\$ -	\$ 28,680.71
Balance 3/31/2016							
4/7/2016		1200 Hayes Development Svs	(4,650.00)				
4/15/2016		1201 Christine L. Champ - Minutes/Sectry	(75.00)				
4/29/2016		Interest on MM		2.65			0.71
4/29/2016		Interest on CURplan	\$ 377.63	\$ 32,386.39	\$ -	\$ -	\$ 28,681.42
Balance 4/30/2016							
5/24/2016		Deposit					
5/24/2016		Rte 44 Development, LLC					
5/24/2016		for FXM Economic Study					
5/24/2016		Transfer to Ckng - Hayes Developmt					
5/24/2016		Deposit from CURplan	1,800.00				
5/24/2016		Deposit					
5/24/2016		43 Jill Marie Dr -gas pipe loan					
5/24/2016		pay back, sold the house		\$ 1,091.40			
5/31/2016		Interest on MM		2.76			0.77
5/31/2016		Interest on CURplan	\$ 2,177.63	\$ 33,480.55	\$ -	\$ -	\$ 36,882.19
Balance 5/31/2016							
6/3/2016		Christine L. Champ - Minutes/Sectry					
6/3/2016		1202 1mtg, 1/2 mtg no quorum	(100.00)				
6/7/2016		1203 Hayes Development Svs	(1,800.00)				
6/8/2016		1204 Christine L. Champ - Minutes/Sectry	(75.00)				
6/30/2016		Interest on MM		2.74			0.91
6/30/2016		Interest on CURplan	\$ 202.63	\$ 33,483.29	\$ -	\$ -	\$ 36,883.10
Balance 6/30/2016							
7/22/2016		1205 Christine L. Champ - Minutes/Sectry	(50.00)				



**Treasurer's Report - January thru Oct. 2016**

<u>Post Date</u>	<u>Check Number</u>	<u>Description</u>	<u>Checking Account</u>	<u>Savings Account</u>	<u>Principal Loan Account</u>	<u>Interest Loan Account</u>	<u>Carver Urban Renewal Plan Account</u>
7/29/2016		Interest on CURplan					0.94
7/29/2016		Interest on MM		2.84			
<b>Balance 7/31/2016</b>			<b>\$ 152.63</b>	<b>\$ 33,486.13</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 36,884.04</b>
8/10/2016		Transfer to Ckng - FXM Associates					(8,000.00)
8/10/2016		Deposit from CURplan	8,000.00				
8/16/2016		1206 FXM Associates	(8,000.00)				
8/17/2016		1207 Christine L. Champ - Minutes/Sectry	(50.00)				
8/17/2016		1208 Christine L. Champ - Minutes/Sectry	(25.00)				
8/31/2016		Interest on MM		2.84			
8/31/2016		Interest on CURplan					0.79
<b>Balance 8/31/2016</b>			<b>\$ 77.63</b>	<b>\$ 33,488.97</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 28,884.83</b>
9/13/2016		Transfer to Ckng - SRPEDD		(3,751.00)			
9/13/2016		Deposit from Svgs	3,751.00				
9/14/2016		1209 Christine L. Champ - Minutes/Sectry	(75.00)				
9/20/2016		1210 SRPEDD	(3,675.56)				
9/27/2016		Transfer to Ckng - Val Varrasso/Sectry					(375.00)
9/27/2016		Deposit from Svgs	375.00				
9/30/2016		Interest on CURplan					0.71
9/30/2016		Interest on MM		2.56			
<b>Balance 9/30/2016</b>			<b>\$ 453.07</b>	<b>\$ 29,740.53</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 28,510.54</b>
10/12/2016		1211 Valerie Donovan - Bank Audit	(300.00)				
10/26/2016		1212 Christine L. Champ - Minutes/Sectry	(75.00)				
10/28/2016		Reverse last months entry		(375.00)			375.00
10/31/2016		Interest on CURplan					0.73
10/31/2016		Interest on MM		2.51			
<b>Balance 10/31/2016</b>			<b>\$ 78.07</b>	<b>\$ 29,368.04</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 28,886.27</b>
							<b>Carver Urban Renewal Plan Account</b>
							<b>Interest PD YTD</b>
							<b>\$ 8.19</b>
							<b>Carver Urban Renewal Plan Account</b>
							<b>Interest PD YTD</b>
							<b>\$ 26.95</b>

**Carver Redevelopment Authority  
Minutes for Monday, September 26, 2016**

APPROVED  
10-24-16

Call to Order: The Carver Redevelopment Authority met on September 26, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. This meeting was videotaped for cable cast area 58, channel 15.

Members Present: William Sinclair, Chairman; Johanna Leighton, Treasurer; Charles Boulay.  
Not Present: Brian Abatiello, Vice Chairman

Also Present: Marlene McCollem, Planning Director; Christine Champ, Recording Secretary

The meeting was opened by Mr. William Sinclair at 7:00 p.m.

1. Receipt and review of annual financial statements prepared by Valerie Donovan.

Ms. Leighton gave a brief overview of Ms. Donovan's work doing the 2015 annual reporting for Rockland Trust Company and introduced Ms. Donovan. She went over the Balance Sheet for the Carver Redevelopment Authority.

Chairman Sinclair asked for any questions. There were none.

**MOTION:** By Mr. Boulay to approve the financial statement presented

**SECONDED:** By Ms. Leighton

**APPROVED:** Unanimously (3-0-0)

Chairman Sinclair thanked Ms. Donovan.

2. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Potential impacts to the Cole and Melville residences
  - b. Roadway access and circulation
  - c. Design standards

Ms. McCollem talked about a and c together. She said at the last meeting, they talked about the design standards. Ms. McCollem said she had thought of comparing to the Zoning bylaw. She said the bylaw had control for signage and landscaping. Ms. McCollem suggested considering some controls for architecture so that Zoning could not discuss the look of the building. She also

suggested what types of building materials they might consider using.

Ms. McCollem said Zoning does address noise. She added that the lighting standards were very good. Ms. McCollem said they might want to consider noise studies and impacts. She said, regarding rooftop units, how they would be screened from view and maybe how they are baffled from hearing.

Ms. McCollem also thought they should think about the arrangement or layout of loading docks in these buildings. She said if you put the loading docks towards 44 then most would be in the front of the buildings. Ms. McCollem said that was not encouraged by the Town. She added, having loading areas in the rear, that would be ideal. Ms. McCollem said her concern was the northern lots and how you would control those lots and their loading areas. She said, maybe they could not allow loading docks in the rear of the building but maybe the side. She wanted the board to have a discussion about this as no decision was necessary yet.

Ms. McCollem wanted to talk about the Cole and Melville homes. She said, essentially, they would be funneling impacts towards these properties and noise impacts should be as mitigated as possible. Ms. McCollem said it would be hard to mitigate noise to those two properties. She did not want to cause undue harm to them without compensating them for it. Ms. McCollem said they needed to consider whether they should be acquiring those homes if impacted. Also, they needed to consider the impacts of internal roadways. She said if they were not acquired, they would be traversing the roads with the other industrial traffic. Ms. McCollem said the road would combine residential traffic with industrial which was not a good idea. To reduce noise, and not to harm those houses audibly, she wanted to hear their ideas.

Ms. Leighton asked if they bought the Melville house, would they have to buy the bogs, and Ms. McCollem went over on map 22-10, the bogs. She also went over the Cole property, 22-4 and 22-5. Ms. McCollem said some partial area was to be acquired that did not include the Cole house and Melville was not included in the acquisition either. There was further discussion regarding the properties. A gentleman representing the Cole property said it was empty but could be rented.

Regarding design standards, Ms. Leighton asked about Plymouth Industrial Park near Route 80. Ms. McCollem said they had design standards but they were not especially strict on design standards. She said they could see how the larger buildings dealt with lighting, signage, loading docks, parking lots, et cetera.

Ms. Leighton asked about Sysco and the refrigeration noise. Ms. McCollem said they needed to define. Chairman Sinclair addressed that with Ms. Leighton, that they had to look at others and decide about theirs. Chairman Sinclair said the biggest hurdle would be the noise and how they were going to handle it. He felt those properties, Cole and Melville, would be impacted by noise. Ms. Leighton asked again if they would have to purchase the bogs and Chairman Sinclair recounted that there were other areas in southeastern Mass that had bogs around the industry (i.e.



Ocean Spray, Lakeville).

Ms. McCollem said Cole was in acquisition planning but Melville was not and they must decide. Chairman Sinclair was also concerned about road access coming in from that property. He questioned, to make sure access ("Cole road access"), how much impact would that be? He questioned how much bog would be a requirement.

Chairman Sinclair asked for further comments. Mr. Boulay was concerned with buffing, the design. Chairman Sinclair said they would have to look further with acoustical studies and screening of all roofs. He said as far as load and unload, he had to look at further. Chairman Sinclair said there could be some type of standard but he was not sure how it would work. Ms. McCollem said she would do some more research on loading dock strategy.

Chairman Sinclair reiterated that a person had a concern about Sysco and idle noise at night. Mr. Boulay asked if loading docks could be on the south side. Chairman Sinclair asked Ms. Leighton for any additional comments and she said she wanted further information about the refrigeration at night.

Christine Joy of Plympton said they run all night. She said the freezer/refrigeration runs 24 hours a day, Sunday p.m. through Friday p.m., at the Sysco plant in Plympton. Ms. Joy said they had complaints about backup alarms so Sysco bought muffling alarms and took care of it.

Ms. McCollem wanted to know about the architecture of the building. She said these would be big buildings. Chairman Sinclair suggested to look at the Decas plant in South Carver, the front of the facade, or Marion Drive and Commerce Way, off of Plymouth Street, to see some of those buildings with the different designs. Also, he suggested to look at Sysco, to get ideas. Ms. Leighton and Chairman Sinclair continued discussing different building styles. Chairman Sinclair said he felt the key was the front facade and to not block buildings in the front. Chairman Sinclair suggested that those are the types to look at. Also, he said, look at sidewalks, landscape, windows on front of buildings, et cetera. There was further discussion regarding smoked windows, height of windows, zoning, et cetera.

Ms. McCollem questioned opinions on Cole and Melville houses. They were discussing buying the house without the bog.

Regarding b. roadway access and circulation, a combination of #1 and #4 was presented by Ms. McCollem, the T intersection designed to not allow the trucks to make that turn.

Ms. Leighton noted, if someone came south on Montello and could take a right onto the road it would be incredibly difficult, designed not to allow for that size of truck. Ms. McCollem said the truck could just stay south on 58. Ms. Leighton said the trucks could come down any way they wanted. Ms. McCollem said that is why the emergency lane was there and it could be ungated and they could enter. Ms. Leighton thought they should think more about it.

Ms. McCollem added, if this was not what the Authority wanted, she wanted to know what they did want. Chairman Sinclair said if it could be as less impactful of trucks as possible, how could they prevent it? Ms. McCollem said professional trucking companies must follow rules or they will be fined. Ms. Leighton said she thought there would be just one property and Ms. McCollem said Ms. Leighton voted for two egresses. Chairman Sinclair said the Town fire department required two ways in and two ways out. Chairman Sinclair asked Ms. Leighton if she knew of any options for Montello Street and Ms. Leighton thought it must be looked at closer because people make mistakes.

Mr. George McLaughlin, of 44 Development spoke. He said most of the truck traffic for big time facilities won't go up a dirt road like Montello. Mr. McLaughlin said the thinking behind this was, things happen. He thought the best plan was that once a trucker makes the mistake and gets jammed up, that trucker gets messed up and won't do it again. Mr. McLaughlin said the trucker may have to back up Montello and time is money for trucking industry. He said people are right to be concerned with these issues, but he thinks in this type of operation it's a very rare occurrence and people get fired over things like that.

Chairman Sinclair asked Ms. McCollem how they would address to lessen the impact of this happening and Ms. McCollem said that is why they are building this escape lane. Chairman Sinclair asked about the signage, as most would not have time to read. He wondered how they could impact or help that.

Mr. Richard Jackson of Heather's Path spoke, saying there is already a sign saying no trucks on Montello Street.

An unidentified woman talked about Tractor Supply and the truckers following the GPS. Chairman Sinclair said it was good to know that it was happening now.

An unidentified man (Bob Butler?) from Plympton said he was concerned about trucks going down Montello Street and that it was being designed for accidents. He said he thought trucks would take a bigger turn out of the lane and another car could be coming. He was not pleased with the option.

Mr. Gordon Massingham spoke next. He felt for trucks and passenger cars, there would be thousands of cars. Mr. Massingham said they would want to avoid the light at Shaw's and Montello. He thought it was just as big a problem as the trucks. Mr. Massingham said cars could make the turn but not trucks. Chairman Sinclair said there was still a problem with traffic coming south.

Mr. Tuscher of 16 Montello spoke next. He said he did not know how they would check the road per the specifications of the state and he thought they should use signage. Chairman Sinclair explained that they were trying to control traffic on that road and he felt they were still at a quagmire with the intersection.

Chairman Sinclair asked for further questions. The developer, Mr. McLaughlin, spoke next. His concern was, from his standpoint, that the design standards were limiting on tenants. Mr. McLaughlin said his concern, as standards were further confined, may scare tenants. He thought it was important to have thoughtful landscaping, et cetera. Mr. McLaughlin also talked about tenants that were not interested in sharing their road with anybody, such as residents, cranberry bog farmers...anybody. He said it was very important for bogs to be included.

Mr. McLaughlin said he liked the way L. Knife and Sons was done with the pastoral setting. He said he had spoken to Jim and Alice Cole and needed to speak with the Melvilles. Mr. McLaughlin said he had been successful with open lines of conversation and he thought he could put a deal together with the Coles and Melvilles. He said he already had deals with the Allens and Tassinaris and he wanted the bogs included.

Ms. Leighton asked Bob, can he build his own road into the bogs? He said he had checked and there was no access highway in the area. He said there were certain limitations and the tenant is looking into putting in a slip-ramp to have access to Route 44. He does not know if the Department of Transportation would allow.

Mr. Jackson said he was already told it can't be done. Ms. Joy, from the Town of Plympton, Board of Selectmen, said it was not legal. She asked if they had a low island that could be driven over by fire or police and if there could be a gate at the end of Montello. Ms. Joy said she would talk to the developer further about a gate. Ms. Joy questioned if the old Shaw's property could be used. Chairman Sinclair said it was looked at previously and it could not handle truck traffic due to the wetland.

Chairman Sinclair asked for questions on designs. Mr. Massingham said it was all about profit made. He recounted a story in the newspaper recently about border residents in towns. He felt the design standards were very important.

Chairman Sinclair asked for suggestions and asked that email be forwarded with input.

Ms. McCollem needed feedback for what was next. Chairman Sinclair said he was okay and that he like the raised structure in the road. Ms. McCollem said the DPW wanted no islands in the streets due to damage to plows. She said if islands have lights, it might be okay, but curbs, et cetera, get buried by snow. Chairman Sinclair asked, as a board, if they had changed suggestions, get them to Ms. McCollem before the next meeting. Ms. McCollem went over what the design would be, preventing tractor trailer only.

Chairman Sinclair said they would hold off until the next meeting and asked if there was anything further. There was not.

Ms. McCollem wanted to know what would be added. Chairman Sinclair said Cole and

Melville. Ms. McCollem needed to know in entirety and Chairman Sinclair said it would be including the bogs on Cole property. There were further discussion regarding inclusion of the bogs, deciding houses and bogs.

There were no further comments from the audience. Ms. Joy said they liked the idea of a low island. She asked if they could contact the DPW and Chairman Sinclair said they could.

### 3. Bills Payable & Treasurer's Report.

Ms. Leighton said Ms. Donovan was to be paid \$300 for the 9/20/16 invoice #90. Ms. Leighton requested the money be moved.

**MOTION:** By Ms. Leighton to pay Valerie Donovan \$300 for invoice #90 of 9/20/16

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously (3-0-0)

**MOTION:** By Ms. Leighton to move the money (\$3,751) from the savings account to the checking account

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously (3-0-0)

Ms. Leighton said two bills were paid, including \$75 for minutes and \$3675.56 for SRPEDD. She said there was \$78.07 left in the checking account. Ms. Leighton asked Ms. McCollem if anything else was coming and it was decided to move \$375.00 from savings to checking.

**MOTION:** By Ms. Leighton to move \$375.00 from savings to checking

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously (3-0-0)

### 4. Minutes: September 12, 2016

It was decided to move the minutes to the next meeting.

### 5. Next meeting: October 24, 2016

**MOTION:** By Ms. Leighton to have the next meeting on October 24, 2016, at 7:00 p.m.

**SECONDED:** By Mr. Boulay

**APPROVED:** Unanimously (3-0-0)

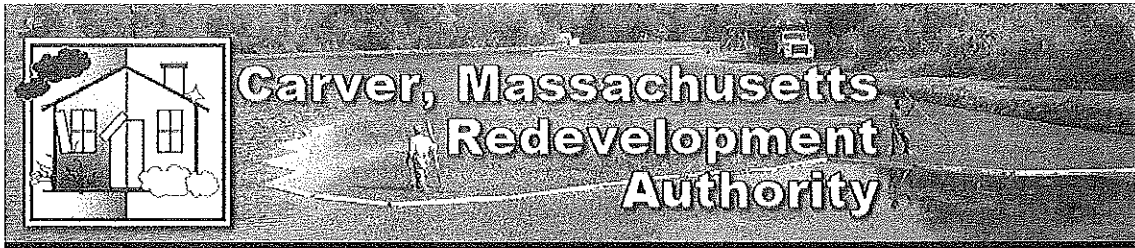


**MOTION:** By Ms. Leighton to adjourn at 8:32 p.m.  
**SECONDED:** By Mr. Boulay  
**APPROVED:** Unanimously (3-0-0)

**Exhibits:**

Exhibit A: Agenda

Exhibit B: Treasurer's Report



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, September 26, 2016**

**7:00 pm**

**Carver Town Hall Room #1**

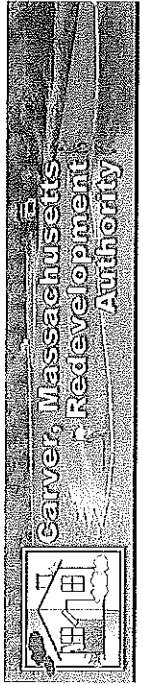
**AGENDA**

1. Receipt and review of annual financial statements prepared by Valerie Donovan.
2. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Potential impacts to the Cole & Melville residences
  - b. Roadway access & circulation
  - c. Design standards
3. Bills Payable & Treasurer's Report
4. Minutes: September 12, 2016
5. Next meeting: October 24, 2016



Treasurer's Report - January thru Sept 2016

<u>Post Date</u>	<u>Check Number</u>	<u>Description</u>	<u>Checking Account</u>	<u>Savings Account</u>	<u>Principal Loan Account</u>	<u>Interest Loan Account</u>	<u>Carver Urban Renewal Plan Account</u>
Balance 12/31/2015			\$ 602.63	\$ 32,375.69		\$	40,003.08
1/30/2016		Interest on MM		2.74			1.02
1/30/2016		Interest on CURplan	\$ 602.63	\$ 32,378.43	\$ -	\$ -	40,004.10
Balance 1/31/2016							(6,675.00)
2/2/2016		Transfer to Ckng - Hayes Developmt					
2/2/2016		Deposit from CURplan	6,675.00				
2/4/2016	1198	Hayes Development Svs	(6,675.00)				
2/19/2016	1197	Christine L. Champ - Minutes/Sectry	(75.00)				
2/28/2016		Interest on MM		2.57			0.80
2/28/2016		Interest on CURplan	\$ 527.63	\$ 32,381.00	\$ -	\$ -	33,329.90
Balance 2/29/2016							(4,650.00)
3/23/2016		Transfer to Ckng - Hayes Developmt					
3/23/2016		Deposit from CURplan	4,650.00				
3/25/2016	1199	Christine L. Champ - Minutes/Sectry	(75.00)				
3/31/2016		Interest on MM		2.74			0.81
3/31/2016		Interest on CURplan	\$ 5,102.63	\$ 32,383.74	\$ -	\$ -	28,680.71
Balance 3/31/2016							
4/7/2016		1200 Hayes Development Svs	(4,650.00)				
4/15/2016		1201 Christine L. Champ - Minutes/Sectry	(75.00)				
4/29/2016		Interest on MM		2.65			0.71
4/29/2016		Interest on CURplan	\$ 377.63	\$ 32,386.39	\$ -	\$ -	28,681.42
Balance 4/30/2016							
5/24/2016		Deposit					
5/24/2016		Rte 44 Development, LLC for FXM Economic Study					
5/24/2016		Transfer to Ckng - Hayes Developmt					
5/24/2016		Deposit from CURplan	1,800.00				
5/24/2016		43 Jill Marie Dr - gas pipe loan					
5/24/2016		pay back, sold the house		\$ 1,091.40			
5/31/2016		Interest on MM		2.76			0.77
5/31/2016		Interest on CURplan	\$ 2,177.63	\$ 33,480.55	\$ -	\$ -	36,882.19
Balance 5/31/2016							
6/3/2016		Christine L. Champ - Minutes/Sectry					
6/3/2016		1202 1mtg, 1/2 mtg no quorum	(100.00)				
6/7/2016		1203 Hayes Development Svs	(1,800.00)				
6/8/2016		1204 Christine L. Champ - Minutes/Sectry	(75.00)				
6/30/2016		Interest on MM		2.74			0.91
6/30/2016		Interest on CURplan	\$ 202.63	\$ 33,483.29	\$ -	\$ -	36,883.10
Balance 6/30/2016							
7/22/2016		1205 Christine L. Champ - Minutes/Sectry	(50.00)				



Treasurer's Report - January thru Sept 2016

<u>Post Date</u>	<u>Check Number</u>	<u>Description</u>	<u>Checking Account</u>	<u>Savings Account</u>	<u>Principal Loan Account</u>	<u>Interest Loan Account</u>	<u>Carver Urban Renewal Plan Account</u>
7/29/2016		Interest on MM		2.84			0.94
7/29/2016		Interest on CURplan	\$ 152.63	\$ 33,486.13	\$ -	\$ -	\$ 36,884.04
Balance 7/31/2016							(8,000.00)
8/10/2016		Transfer to Ckng - FXM Associates					
8/10/2016		Deposit from CURplan	8,000.00				
8/16/2016		1206 FXM Associates	(8,000.00)				
8/17/2016		1207 Christine L. Champ - Minutes/Sectry	(50.00)				
8/17/2016		1208 Christine L. Champ - Minutes/Sectry	(25.00)				
8/31/2016		Interest on MM		2.84			0.79
8/31/2016		Interest on CURplan	\$ 77.63	\$ 33,488.97	\$ -	\$ -	\$ 28,884.83
Balance 8/31/2016				(3,751.00)			
9/13/2016		Transfer to Ckng - SRPEDD					
9/13/2016		Deposit from Svgs	3,751.00				
9/14/2016		1209 Christine L. Champ - Minutes/Sectry	(75.00)				
9/20/2016		1210 SRPEDD	(3,675.56)				
Balance 9/25/2016			\$ 78.07	\$ 29,737.97	\$ -	\$ -	\$ 28,884.83
			<div> <div>Savings Account</div> <div>Interest PD YTD</div> <div>\$ 21.88</div> </div>				<div>Carver Urban Renewal Plan Account</div> <div>Interest PD YTD</div> <div>\$ 6.75</div>



**Carver Redevelopment Authority  
Minutes for September 12, 2016**

APPROVED  
10.24.16

Call to Order: The Carver Redevelopment Authority met on September 12, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. The meeting was opened by Mr. William Sinclair at 7:00 p.m.

Members Present: William Sinclair, Chairman; Brian Abatiello, Vice Chairman; Johanna Leighton, Treasurer; Charles Boulay.

Absent: N.A.

Also Present: Marlene McCollem, Planning Director; Christine Champ, Recording Secretary

1. Receipt and review of annual financial statements prepared by Valerie Donovan.

Chairman Sinclair stated Ms. Donovan was not present. Ms. Leighton requested it be deferred to the meeting on the 26th.

Mr. Abatiello moved to have the matter deferred to the meeting of the 26th. Mr. Boulay seconded the motion. It was voted unanimously to move the matter forward to the meeting of September 26, 2016.

2. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt. 44 Development, LLC; located off Montello Street in North Carver.

Ms. McCollem reported, as they did not have the information, the last meeting was canceled. She went over the figures developed for the draft plan. Ms. McCollem said the major change on map 1 was the line representing a boundary change to remove three properties on the northern boundary. She said a required figure was topography and another one was existing parcel layout of the area. She added the revised property matrix table was emailed earlier and she would have it for the next meeting.

The next map showed current end usage or what the use of the property was and current zoning. Ms. McCollem went over the areas by color (two districts in area). She stated one piece needed to be re-zoned from commercial to green business park. Ms. McCollem said there were some additional required maps that would be part of the plan. There were no questions or changes, per Ms. McCollem's inquiry.

- a. Roadway access and circulation.

There was further discussion by Ms. McCollem regarding the restricting of turns on the road. She said it was to be looked at more closely to see if there was a way for trucks to turn left,

northbound, onto Montello then north to Plympton.

Ms. McCollem explained, the purple showed essentially a permanent emergency access point that would bollard on both sides. The posts that were locked vertically could be removed by the police if it was an emergency. Ms. McCollem said another option, a point of egress, could be the T intersection. She said a concrete island where the three dots were could have bollards again and it would prevent truck traffic unless the bollards were removed. Ms. McCollem said the purple would be a different type of pavement treatment maybe with beveled curbs or cobbles. She said that radius would be expanded in that area and also signed, not as strong as a physical barrier.

Ms. McCollem next described the T intersection with sign control and a tight radius. It would be similar to the earlier described with emergency areas. Ms. McCollem was looking for comments regarding likes or dislikes. Ms. Leighton said earlier there was a widening area of 58. Ms. McCollem said nothing had changed there and these would be only at the curve up behind the old Shaw's. There was further discussion between Ms. Leighton and Ms. McCollem regarding the road alignment. Ms. McCollem said the whole internal roadway network would be completely rebuilt. She added that they have to have an in and out in case of emergency.

Mr. Abatiello asked if there would still be a north and south coming out or one way. Ms. McCollem said everything was designed for two ways. Mr. Abatiello liked the designs of #1 and #3, saying they worked well for him. He liked the bollards and felt truckers wouldn't heave them out of the way.

Ms. McCollem said they wanted to take out the curve, as it was dangerous and a T intersection would correct that. Mr. Abatiello said he was 80% towards alternative #1. There was continued discussion regarding different scenarios. Ms. McCollem said #4 would make the turn very difficult. Mr. Abatiello said he preferred a gate to a bollard. Ms. Leighton inquired about the location of the bollard and Mr. Abatiello answered that they could be sleeved or they could fold.

Ms. Leighton said there was no need to decide at the present time and Ms. McCollem said she was just looking for feedback.

Mr. Boulay said he liked #4. He wondered if there would be a T in there and Ms. McCollem said they could combine #1 and #4. She said they could use gates instead of bollards. Mr. Boulay thought it would be safe. Ms. Leighton suggested maybe a #5. Chairman Sinclair thought maybe a combination of #1 and #4 as well. Ms. McCollem said yes and Chairman Sinclair said it seemed to be a good compromise. Chairman Sinclair asked about the gate design and Ms. McCollem said it could be controlled through design standards. Ms. Leighton wanted to see it on paper but said she was okay with it after Ms. McCollem's suggestion of combining #1 and #4. Ms. McCollem said she would get another version.

Chairman Sinclair asked for comments from the public on the design only.

Mr. Gordon Massingham said he was concerned with increase in traffic already. His concern was traffic on Montello Street instead of further down. He went over different scenarios of setup that he felt could take place and said Mr. Jackson's idea was not reflected except in #4, which was the Y idea.

Christine Kirkland, 20 Montello Street, asked who created alternative layouts and said she was just wondering. Ms. McCollem informed her, VHB and their traffic engineers. Ms. Kirkland questioned if the changes were dependent on new studies and Ms. McCollem answered yes. Ms. Kirkland inquired, how much stock was in designs that effort was being put into and did it mean anything in the end? Ms. McCollem said that everything they were doing was at the conceptual level and that until there was an actual user, they didn't have an actual number.

Ms. McCollem added that they were using conceptual because it gives generally an idea of how to proceed and that there was no flexibility because there was no real information yet. Ms. McCollem said it was subject to length of trucks, turning radius of trucks, et cetera. She said it had to be permitted and built, and during the permitting, that's when it's finalized. Ms. Kirkland inquired about the southern access, if it was the small road off Montello and Ms. McCollem said it was. Ms. Kirkland wanted to know if that access would change and Ms. McCollem said the curves needed to be analyzed. There was further discussion regarding road changes, which Ms. McCollem addressed.

Chairman Sinclair asked for any further questions. There were none.

b. Design standards.

Per Ms. McCollem, addressing the design standards, Maureen Hayes, the development consultant, put together examples from all over the country, and from the point of design standards, they supplement the zoning bylaws. She said the lighting, parking and loading, et cetera, is what you normally have but zoning does not regulate the architectural standards. Ms. McCollem added it did not regulate the methods and materials of construction. Roof lines, breaking up the mass of buildings, that's where you would do it.

She added, landscaping, fencing, site design, architectural design, facades, entrance ways, these are included, and lighting, awnings, signing and graphics, these are also important. Service areas and utilities, especially if a lot of roof-mounted chillers, how baffled to prevent noise, those are types of things in design control concerns.

You want harmonious with neighbors, minimum impact on natural surroundings, considerations of lighting, et cetera. Ms. McCollem went over a list of different things to consider in the design standards. She said she would email them to the board and they could look at with the current zoning and they could decide what they wanted to include.

Ms. Leighton asked if they just review what Ms. McCollem sends to the board. Ms. McCollem

said to they should familiarize themselves with the elements that people are generally concerned with in large scale development.

Mr. Sinclair questioned if the board decided certain standards and approved with these standards, would the Planning Board have to implement the standards. Ms. McCollem said if they decide, they can make the Planning Board the responsible party, or they could do some or they could work together.

Chairman Sinclair asked if the board had questions and there were none. He then asked for questions from the audience.

Ms. Christine Kirkland asked, could it go through the Urban Development Plan? Ms. McCollem responded that the Planning Board does the site plan review all the time and the process is different than what the town does generally.

c. Urban Renewal Plan process vs. Special Permit process and enforcement of Planning Board conditions.

Ms. McCollem wanted to speak about the Urban Renewal Plan process vs. Special Permit process. She wanted to go over the confusing different emails. She noted the Urban Development Plan that the board was doing was in the purple line and didn't exist yet. Ms. McCollem said they were developing the plan. She said, outside of that process, the Planning Board issued a special permit for site remediation and the filling of the former Whitworth property (sand and gravel). Ms. McCollem said they applied last summer to the Planning Board that had conditions on it including updates to Montello, inspecting a culvert regularly, road inspection and brushing back vegetation layout to allow the fill to be brought in. She said it had nothing to do with the Urban Renewal Plan.

Ms. McCollem said the Planning Board, at some point, would have to issue another special permit. She said right then the cap was at 60,000 cubic yards. Ms. McCollem said, likewise, the Planning Board would be sponsoring some re-zoning which would impact 2 removed properties.

Ms. McCollem said she knew it was confusing and she would help all to keep straight. She added that it could be happening under Planning Board special permit or Carver Redevelopment Authority could be doing Urban Renewal Plan. Also, the Planning Board could be doing a special permit. She said she was available to help.

Chairman Sinclair asked for public comment.

Christine Joy from Plympton asked what type of action was taking on two properties, re-zoning. Ms. McCollem said it was currently zoned green business park to residential agricultural.

Bruce Jordan, 16 Montello Street, asked about what was inside of the purple on the board and



how did Urban Renewal coincide with the Planning Board on it. Ms. McCollem said they were working on it together on a similar track. She said once the 60,000 yards of fill were in, then it was done. Mr. Jordan wondered how long the process was and Ms. McCollem said when it was done. She added, the applicant had 2 years to start using and they had a cap on the number of trucks per day. She thought the cap was 60. Mr. Jordan wanted to know how could Urban Renewal know what they would do after the development and Ms. McCollem responded that the Planning Board's special permit brought in the fill to ready it for development and Carver Redevelopment Authority would control what happened. Until the site was ready, it could not be used.

Karen Tuscher, 16 Montello Street, North Carver, said her dad gave her the property, she grew up next door and she had lived there a long time. She spoke to eminent domain. She voiced her opinion regarding eminent domain and said she felt the Town of Carver should protect them from eminent domain. She said she was not against development but she felt everything boiled down to money. She asked the board to do what was right and disavow the use of eminent domain.

Cathy Cohen, 24 Heather's Path, Plympton, asked about the temporary access, when the southern access was unusable. She wondered what it meant. Ms. McCollem said it was in case of emergency.

Christine Kirkland spoke again and wondered if anyone had looked at 58 into the park, regarding the roadway. Ms. Leighton said they needed two exits. Ms. McCollem said, cross Webbie or Waterstone properties. She said the wetlands were of concern on both properties. Ms. Leighton said she went to the assessors and described the map. There was further discussion between Ms. Leighton and Ms. McCollem regarding the wetlands on the Webbie land and the question would depend on the traffic study.

Chairman Sinclair asked for any further questions and there were none.

3. Bills Payable: SRPEDD - Master Plan public participation in the amount of \$3,675.56.

Chairman Sinclair spoke about part of master plan assistance that the board voted on. He read from a document listing charges and who they were attributable to. Ms. Leighton said the money should be moved from savings to checking.

Chairman Sinclair said the monies that were going to be used for the master plan were supposed to be payback from school building. One check was for \$5000 and the other had not been allocated yet.

Chairman Sinclair's question to Ms. McCollem was regarding the 75,000 to 80,000 for the master plan, the monies that are in there, would that be enough to cover all? Ms. McCollem said it was from the article (50,000) and if there were leftover money, it goes back to the general fund.

She said they were shorted \$3,300. In answer to Chairman Sinclair's inquiry, Ms. Leighton said to pay with the savings account money and transfer same to checking account.

Mr. Abatiello motioned to pay the bill to SRPEDD \$3,675.56. Mr. Boulay seconded the motion. After no comment, it was voted unanimously.

Mr. Abatiello motioned to move \$3,751.00 from savings to checking. Ms. Leighton seconded the motion. It was voted unanimously.

4. Minutes: May 23, July 18, August 8, 2016

May 23, 2016.

Ms. Leighton abstained. Mr. Abatiello moved to accept the minutes of May 23, 2016, as written. Mr. Boulay seconded the motion. Chairman Sinclair accepted the minutes as written. It was voted unanimously.

July 18, 2016

Mr. Boulay abstained. Ms. Leighton moved to accept the minutes of July 18, 2016, as written. Mr. Abatiello seconded the motion. Chairman Sinclair accepted the minutes as written. It was voted unanimously.

August 8, 2016.

Mr. Boulay abstained. Mr. Abatiello moved to accept the minutes of August 8, 2016, as written. Ms. Leighton seconded the motion. Chairman Sinclair accepted the minutes as written. It was voted unanimously.

5. Next meeting: Monday, September 26, 2016, at 7:00 p.m.

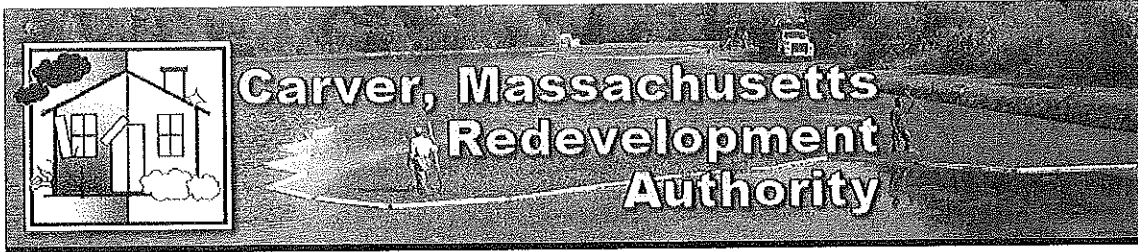
Ms. Leighton moved to have the next meeting on September 26, 2016. Mr. Abatiello seconded the motion. It is voted unanimously.

Mr. Abatiello motioned to adjourn the meeting at 8:24 p.m. Ms. Leighton seconded the motion. It was voted unanimously.

**Exhibits:**

Exhibit A: Agenda

Exhibit B: Treasurer's Report



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**

**Monday, September 12, 2016**

**7:00 pm**

**Carver Town Hall Room #1**

**AGENDA**

1. Receipt and review of annual financial statements prepared by Valerie Donovan.
2. Further discussion of the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
  - a. Roadway access & circulation
  - b. Design standards
  - c. Urban Renewal Plan process vs. Special Permit process and enforcement of Planning Board conditions.
1. Bills Payable: *SRPEDD—Master Plan public participation in the amount of \$3,675.56*
2. Minutes: May 23, July 18, August 8, 2016.
3. Next meeting: September 26, 2016

APPROVED  
9.12.16

**Joint Meeting of the Carver Redevelopment Authority  
and Business Development Commission Minutes for July 18, 2016**

Call to Order: The Carver Redevelopment Authority met on July 18, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. The meeting was opened by Mr. William Sinclair at 7:00 p.m. This was a joint meeting with the Business Development Commission.

Members Present: William Sinclair, Chairman; Brian Abatiello, Vice Chairman; Johanna Leighton, Treasurer.

Absent: Charles Boulay, Carver Redevelopment Authority; Stephen Romano, Chairman of Business Development Commission; Robert Woolson, Business Development Commission; Jacqueline Gingrich, Business Development Commission

Also Present: Marlene McCollem, Planning Director; Christine Champ, Recording Secretary

1. Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.

Chairman Sinclair welcomed all to the public meeting, noting at the last meeting there was no testimony from the public which he apologized for. He said it was not his intent to circumvent and not take input and that it was very valuable to his decision. Chairman Sinclair said he looked forward to receiving input.

Chairman Sinclair thanked Mr. Butler for his letter. He stated he had some e-mails from homeowners and invited them to speak, followed by any others who would like to step forward and speak. The Route 44 developers were invited to speak, as well, followed by Mr. Butler going over his alternative plan. Chairman Sinclair wanted to then move to the broker's report and the study that was done.

Various e-mails from homeowners (Allen, Tassinari and Tuscher) were received by Chairman Sinclair and he wanted them to come forward and speak if they were present. No one responded.

Chairman Sinclair then read into the record a letter of July 16 from Michael Tassinari addressed to Ms. McCollem. He noted it was a very positive letter, wanting all to move forward. The next letter was from John and Lisa Allen, dated July 15, 2016. Regarding the project, they had reached an agreement and were in the process of finalizing paperwork. The final letter was from Karen Tuscher dated July 15, 2016, stating the Tuschers had not spoken publically as they had been having medical issues. Someone from the audience began speaking, describing Mrs. Tuscher's husband's medical conditions and noting they had lived there for 37 years.

Chairman Sinclair next invited comments from other property owners (i.e. Borofski, Coles, Paul



Clancy, Trustee, Mehutchett Realty Trust; Walsh Commercial Properties) who had not prepared documents but he would hear from. There was no response.

Next, Chairman Sinclair invited Route 44 Development, LLC. In attendance were George McLaughlin, Brian Haskell and Bob Delhome. Mr. McLaughlin spoke about the plan that the Town had been pursuing since 1986 from the Master Plan. He said it had not been redeveloped due to water, sewer and existing conditions and he felt access, sewer and site conditions were still issues.

Mr. McLaughlin said the site conditions were being addressed presently but they would have to deal with access and sewer. He said they had the broker's report. Mr. McLaughlin said he had several warehouse distribution tenants interested, with the impediment being access, and that was why the urban renewal plan was so important.

Mr. McLaughlin stated that he, as a major property developer, wanted to see it developed and he wanted to see the community appeased. He said he met with the Allens and the Tassinaris and had agreements to purchase the properties. Mr. McLaughlin stated he wrote to the Tuschers and received a call from Karen Tuschler. He learned about her husband's serious illness and Mrs. Tuschler's focus on her husband and his health. Mr. McLaughlin told her he would meet with her anytime, giving his cell number, and she said she'd call him. Mr. McLaughlin said he and Bob would do everything in their power to accommodate them. He continued to say, he was sure he could deal with the Tuschers and they could find a solution. Mr. McLaughlin said in order to move forward, they needed urban renewal plan put into process.

a. Discussion of the June 3, 2016, plan by VHB and the "Local's Alternative" plan by Bob Butler.

Ms. McCollem spoke about the VHB plan, noting the Board voted to move forward at the June meeting. She went over the plan which showed the overlay of Route 58, saying there were two points of access into the industrial subdivision. The first at the south would be using the Cole access road. The northern point of access would be at the intersection.

Ms. Leighton asked about the Webby property and Ms. McCollem stated the triangle is owned by Webby. Ms. Leighton voiced concerns about people zooming into the intersection and a yield sign versus a stop sign. Ms. McCollem agreed the existing condition were not good there. She said in a no-build situation, they would not build. Ms. McCollem referred to all the engineering that goes into the project.

Ms. Leighton said she came out of there and a 18-wheeler pulled out beside her and she could not see, noting that she had to wait until he was gone. She asked if that was going to be a consideration. Ms. McCollem said that would all be redesigned. Ms. Leighton also inquired if there would be a traffic light going in there and Ms. McCollem said a study needed to be done. She added, regardless of what you have, this plan is what you have today.

Chairman Sinclair inquired of Ms. Leighton if she had any more questions and she said she was all set. He then asked Mr. Abatiello if he had anything to add.

Mr. Abatiello wanted clarification on where Montello Street was dead ended. Ms. McCollem said the plan would not change that but, according to the wall-displayed plan, if the project moved forward, the lot lines would change and the portion under the label would be part of the public layout. It would turn north and tie in behind the old Shaw's. Mr. Abatiello wondered if it would be straightening out the sweep and Ms. McCollem said it would. She added, the road lines would change for the public way. Also, the stop sign would be the private property of the sub-division. Mr. Abatiello said he understood. Ms. McCollem continued, Montello would still be open. She said the signage package that would go along with the sub-division would clearly note the industrial park. Mr. Abatiello thanked Ms. McCollem.

Ms. Leighton was further concerned about the entrance and Ms. McCollem reminded Ms. Leighton, don't forget the second entrance. She said the Cole bog road's entrance they would see first. The primary entrance would be the southern one and if they missed it, they would get a second chance.

Chairman Sinclair asked if Ms. McCollem had anything further and she did not.

Chairman Sinclair then moved on to Mr. Butler's "Local's Alternative" plan as well as a letter Mr. Butler had submitted to Ms. McCollem, dated June 8, 2016, which Mr. Sinclair read into the record. He then asked Mr. Butler if the plan had the approval of the locals. Mr. Butler said he could not give a yes at the time but he could say yes now, from the letter. He went over different plans in the letter describing various considerations for the plan. He had one local who did not agree as she wanted a direct ramp off of Route 44. Mr. Butler said it was not going to happen.

Chairman Sinclair asked Mr. Butler to make any comments or to go through his plan. Mr. Butler, from the mic, spoke to the owners in the audience about his concerns with softer curves. He said he didn't know if his plan had merit. Chairman Sinclair said Mr. Butler's idea did have merit and it brought up good alternatives. Mr. Butler stated he had less concern, knowing that two out of the three properties were under agreement. Mr. Butler's idea suggested to maybe change the curve to not take the third property. Chairman Sinclair thanked him for his input.

Chairman Sinclair said he was very interested to see if someone had access off Route 44. Mr. McLaughlin said they would never get access off of Route 44. Ms. McCollem added the Department of Transportation would not allow a break in access with less than a mile between exits. There was further discussion between the board members regarding the Route 44 access. They concluded it was a mute point. Chairman Sinclair thanked all and said they would take the information under consideration.

- b. Discussion of the *preliminary* February, 2016, draft of the URP (subject to substantial revision).

Chairman Sinclair moved on to the discussion of the Urban Renewal Plan document. Ms. McCollem said it was dated from February and it had preliminary information. She noted everything hinged on the conceptual plan that was voted on and unless she heard otherwise, she would go with the original. The board members agreed that was what they voted on.

Ms. McCollem drew their attention to Section 3 (Objectives of the Plan) starting on Page 23. Moving to Page 26, under Zoning, Land Use and Restrictions and Design Controls, she needed the input from the board on this. Ms. McCollem said if the Redevelopment Authority wanted to create controls beyond zoning, this is where they would do it. She said she could provide the board with examples of same as they went along. Chairman Sinclair wondered when it was sent and Ms. McCollem said it was in the previous week on an email list. Chairman Sinclair inquired if any of the board members had a chance to review and the members indicated they had scanned and were not ready to go over it. Ms. McCollem said other engineering documents would be sent out. Chairman Sinclair asked if any board members were ready to make comment and there were none.

- c. Discussion of the June, 2016, Market Overview Study prepared by FXM.

Chairman Sinclair, wanting to go over the FXM Market Study and broker's report, began with the FXM Study. Ms. Leighton went over her highlighted areas in question (including waste management and remediation) from Page 2, Table 1, of the Technical Memorandum. She also referred to the material, saying the town held jobs and lots of money and she wanted some explanation regarding this section.

Ms. Leighton noted the sub-market is Carver plus five towns, the five towns being Kingston, Middleborough, Plymouth, Plympton and Wareham. She questioned if they could define it more finitely, maybe with different colors. She referred to Page 12, Table 4, noting she liked the way it was produced, and wondered if they could break the rest down the same way so she could better understand it. Staying with that section, she had a question on the property tax rate versus the residential property tax rate. Under Summary Findings on Page 13, (third paragraph), she noted the high tax rate was not favorable but it was a good area for warehousing. Ms. Leighton thought it was well written. Mr. Sinclair wanted it better defined for Carver.

Chairman Sinclair asked Mr. Abatiello if he had anything further. Mr. Abatiello said he read this as a compilation of what existed and what was to come. He hoped it would help stabilize or slow down. He said he felt it was just data or forecasting and it could not be seen until it played out. Chairman Sinclair said he expected more in-depth information on this and he thought the tax rate was an issue. He wanted more detail and Ms. Leighton agreed. There was further discussion regarding breaking down the report a bit more.

Chairman Sinclair next brought up the broker's report he received earlier that day from the developer. George McLaughlin addressed the report and said it spoke for itself. He stated the most important thing was that their position was that this was a regional warehouse center and all big companies tended to do the same due diligence. Mr. McLaughlin went on to say if Sysco made a decision that this was a great location, he thought so, too. He spoke briefly about super parks like Myles Standish Industrial Park and other competition.

Mr. McLaughlin said that large regional facilities are a national trend and Martignetti Companies (largest in Mass. of wine and liquor) took the last parcel at Myles Standish so there is no longer competition. He said the industrial sector is trending up, with rents up and vacancy down. When asked about access and when it can be permitted or ready, Mr. McLaughlin said they were out there that day and were proud of what they'd done to make it look better. He said they could not change the access and that he and Mr. Delhome had invested a lot of money to clean it up. Mr. McLaughlin said he was confident all was going forward and he was happy with the report.

Chairman Sinclair asked for comments on the information provided.

Mr. Gordon Massingham of Montello Street said he had a question on the nature of the meeting, a joint meeting. He inquired how many people were on each board. It was determined there were four on the Redevelopment Authority and five on the Business Development Commission. Mr. Massingham said, only three, then no quorum. Chairman Sinclair stated there was a quorum for the Carver Redevelopment Authority. Mr. Massingham questioned where the other people were. He also questioned the property in blue and if it was to be acquired. Ms. McCollem informed Mr. Massingham those were to be acquired. He then asked if the others were not going to be affected, why were they on the list? He refers to Page 3 of the Urban Renewal Plan. Chairman Sinclair noted these were properties in the projected area.

Mr. Butler asked if it was everything in the green line and Chairman Sinclair said yes.

Mr. Massingham said his property was now underwater. He said it was number 23 on the list and it was not to be acquired. Mr. Massingham wondered if it could be removed from the list if it was not to be acquired, as his property was underwater because of this. Ms. McCollem said all the property in the area needed to be documented and if you changed the boundary of the plan, you then could add or remove properties. Mr. Massingham wanted to know what was going to be done to reimburse because he could not sell his house as it was now underwater. He stated he had a well and driveway and he felt it was an issue. Mr. Massingham questioned if he should be suing. Mr. Massingham stated he did not feel the draft was ready for prime time.

Mr. Massingham continued, inquiring what money was there. He felt there were discrepancies in the plan and an owner of a large parcel had expressed interest in purchasing the entire site. Mr. Massingham suggested the board look into the Town of Attleboro as they had a similar situation and maybe they could compare. Lastly, he said he wanted to talk about jobs and economic development. Mr. Massingham said warehouse employment was low paying, back breaking and



most are Hispanic and undocumented workers. He felt a lot of other workers from somewhere would be brought in. Mr. Massingham continued regarding water. He wanted to know if there was enough water out there, then why not on Montello Street? Chairman Sinclair answered that there was not enough pressure. It did not meet the requirements for fire protection and needed to be larger. Mr. Massingham wanted to see a more detailed, with numbers, plan and Chairman Sinclair asked him to put it into writing so they could incorporate and follow up on.

Chairman Sinclair asked for others to speak.

Mr. Robert Butler spoke again. He referred to an older copy of a plan from several months ago and was referring to number 12, the Tucker property which was not listed in February but was in a recent document. He said it was 24-2-E (Number 27-Webby property). Mr. Butler questioned when the blue was going to stop changing. He wanted to know when the plan would be firmed up. Chairman Sinclair said until they got more documentation, he did not expect more changes. He said they kept getting more information so there could be more changes. Mr. Sinclair said he thought they were close.

Ms. McCollem said the board was going with the June plan. She said she could finalize the list based on that and if anything changed, the list was subject to change. Ms. McCollem said she would finalize based on the June plan; that it should not change any of the properties. What would change would be the scope of the partial acquisitions. Chairman Sinclair thanked Mr. Butler.

Plympton Selectman John Traynor was in attendance with fellow Plympton Selectman Christine Joy. Selectman Traynor said he wanted to be a good neighbor but wanted to protect neighbors. He wanted to understand the buildings in the northeast quadrant. He noted one of the residents owned land in Plympton and Carver and their well was in Carver. Selectman Traynor went on to say the second resident had a house in Plympton but their driveway was in Carver.

Selectman Traynor said he was also concerned with the issue of Montello Street from the Plympton side. He wanted to work together to ease these issues and wanted to talk through to protect the residents. Chairman Sinclair inquired about which parcels these were and Ms. McCollem said they were numbered 23 and 25. Chairman Sinclair thanked Selectman Traynor.

Karen Tuscher of 16 Montello Street spoke next. She was questioning why, on the most recent list, their property was valued less and why the tax bills had not broken down the value of the house and land. Ms. McCollem informed her the February plan values were based on the previous fiscal year and the next version will reflect newer values. She said they were based on last year's assessments and she could not answer tax questions; that the assessing department would be the one to ask. Ms. Tuscher said she and her husband did not want their house to be taken away. Chairman Sinclair thanked Ms. Tuscher.

Mr. Richard Jackson of Heather's Path and Zero Montello Street next spoke. He was concerned

about living with a cloud over their heads, for all neighbors, and how long it would go on. Mr. Jackson said if his property was taken it would be virtually worthless. He wanted the cloud over his head removed. Mr. Jackson stated he worked in Cambridge but he could not sell his house now and move. His well was in Carver and his shed and animals were in Carver but some were in Plympton. Ms. McCollem said this was very common. He wanted to add Mr. Butler and withdrew, stating they could speak for themselves.

Ms. McCollem said the Board voted to determine boundaries on the plan. She said to follow the west edge of the layout of Montello Street until it reaches northern property line of the Walsh commercial property. Ms. McCollem said you would remove Jackson property, Massingham property and Butler property from the area and none of the three properties are used for Redevelopment Authority Project.

Ms. McCollem went over the plan, indicating on map. She went over the Jackson property, the Massingham property and also the Butler property. Ms. McCollem said the line could follow the west side of 58 down to Walsh commercial property. She said they could change the boundary and it would remove the three pieces, which they would not be doing anything with, from entire equation.

Mr. Abatiello motioned to move the boundary line. Ms. Leighton seconded the motion. It was voted unanimously to move the boundary line (Move out of plan, #23, #24 and #25) .

Chairman Sinclair asked for any other discussion from the Board and there was none.

Mr. Bill Duggan of 285 Meadow Street, Carver, spoke next. He said the idea of eminent domain seems to be a moral and ethical problem he has. Mr. Duggan said if the properties were eliminated, okay. He lived in South Carver far away but anything could happen. Mr. Duggan said he thought it was a stretch of public good and he thought if all benefitted, good. He then referred to the Sysco plant and the acreage and square footage of the land. Mr. Duggan referred to the question of eminent domain and questioned the taking of Silo Marketplace, something he heard. Chairman Sinclair thanked Mr. Duggan.

Selectman Christine Joy of the Plympton Board of Selectman spoke next. She thanked everyone for letting her voice her concern with Selectman Traynor. Selectman Joy said she knew due diligence was good and she wanted to point out Sysco had an access ramp. She stated she thought they needed to look harder for better access and look away from Montello Street. Selectman Joy challenged the board to maximize the benefit of the park and look bigger.

Ms. Christine Kirkland of 20 Montello, Plympton, spoke next. She said she had been here 20 years and there was no Tractor Supply then. Ms. Kirkland said she always knew something would be built. She then spoke to when the road was shut down. Ms. Kirkland said if the road goes in, she would lose her entire front yard. She stated she felt the signage was not going to work and dangerous trucks drive by. Ms. Kirkland said she wanted to work with someone to see

what they could do.

Jack Franey, 37 Forest Street, Carver spoke next. He stated he had worked 30 years here and was a tax collector at one time. Mr. Franey said he did not recognize any people as owing taxes but the parcel did not pay taxes. He wanted the developer to buy homes and not put in eminent domain. Chairman Sinclair inquired about the owner and Mr. Franey said he was referring to the previous owner. He wanted to know how someone bought a parcel that still had debt. Mr. Franey asked if any selectmen from Carver were present since two from Plympton were. Someone replied that Alan was present.

Selectman Alan Dunham of 11 Rickard Street, Carver, spoke and said this matter was coming before his board. He said they were not making any comments until all came with concerns before the board. Selectman Dunham said they could then voice comments and questions. He explained that this was his rationale for not speaking at the meeting. Selectman Dunham and Chairman Sinclair acknowledged their thanks to each other.

Danielle D. Santos (phonetic) from Carver spoke next. She stated her parents lived here. Ms. Santos questioned if the material was on the website and Ms. McCollem said it was. She said she had brothers who were concerned with a stoplight and she had been in an accident there in the past. Ms. Santos questioned a light study in the area and whether it was being pursued. Ms. McCollem said if it were warranted. Ms. Santos then asked if anyone had any data on existing accidents and Chairman Sinclair said the information was provided by the Carver Police Department. Ms. McCollem added that it was part of the MEPA process for the plan and redevelopment. She said it would be coming but it must be based on real development numbers.

Ms. Santos wanted to know about an economic study, sub-market, and thought they had to do five towns to get numbers. She said she felt it was a mixed forecast in the study. Ms. Santos said she thought it was a risky gamble.

Christine Kirkland stated she wanted to be added to the email list and Chairman Sinclair told her to provide her email address.

Maureen Callahan, 10 Heather's Path, Plympton, next spoke. She said she was looking for a time plan. Chairman Sinclair said there was no crystal ball. Ms. Callahan said she had a realtor to her house to get figures. She was told she could not get a figure because of so many questions right now. Ms. Callahan again inquired about a time and Chairman Sinclair repeated he did not know.

Melissa Singletary, Heather's Path, Plympton, spoke next. She wanted to know what the developers' plan was to make homeowners whole.

Mr. Dennis Callahan, 10 Heather's Path, Plympton, was next. He wanted to know if anyone would respond.

Chairman Sinclair answered that they did not have to respond. He then asked if there were any other questions. There were none. Chairman Sinclair moved the meeting along noting that attendees should provide any questions or comments to the town planner.

2. Correspondence.

Ms. McCollem noted there was a letter in each packet from the Institute for Justice and it was for informational purposes.

3. Bills Payable.

1 bill - Christine Champ (\$75.00)

Chairman Sinclair motioned to pay the bill. Mr. Abatiello seconded the motion. It was voted unanimously to pay the bill for \$75.

4. Minutes: May 23, 2016, and June 6 2016.

Chairman Sinclair moved to table the minutes of May 23, 2016, as Ms. Leighton was not present.

Ms. Leighton moved to accept the minutes of June 6, 2016, as written. Mr. Abatiello seconded the motion. Chairman Sinclair accepted the minutes as written. It is voted unanimously.

5. Treasurer's report.

Ms. Leighton spoke for the month of June. She stated for checking, the amount was \$202.63; the savings account balance was \$33,483.29; the savings interest amount was \$16.20; the Carver Urban Renewal Plan Account balance was \$36,883.10; the interest paid on the Carver Urban Renewal Plan Account was \$5.02.

Mr. Abatiello motioned to accept the Treasurer's Report. Ms. Leighton seconded the motion. It was voted unanimously to accept the Treasurer's Report as submitted.

Ms. Leighton stated she still wanted Valerie (RTC) to come in and she would try to get availability, set it up and let everyone know.

6. Next meeting: August 8, 2016.

Mr. Abatiello moved to have the next meeting on August 8, 2016. Ms. Leighton seconded the motion. It is voted unanimously.

Ms. Leighton moved to adjourn the meeting at 8:56 p.m. Mr. Abatiello seconded the motion. It was voted unanimously.



**Exhibits:**

Exhibit A: Agenda

Exhibit B: Correspondence (4 email copies)

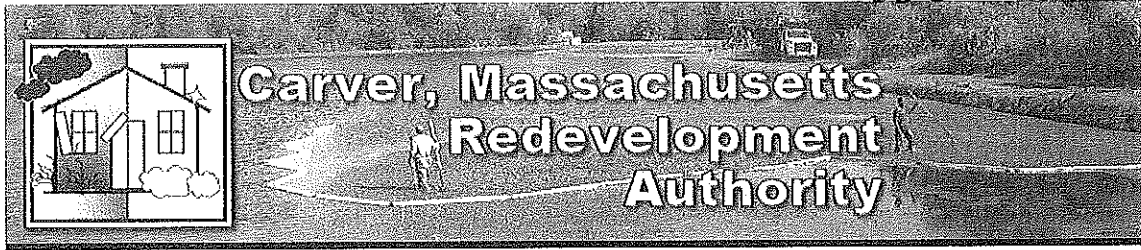
Exhibit C: Potential Access Reconfiguration by vhb

Exhibit D: "A Local's Alternative"

Exhibit E: Draft of URP

Exhibit F: Market Overview Study

Exhibit G: Treasurer's Report



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:  
CARVER REDEVELOPMENT AUTHORITY  
AND  
BUSINESS DEVELOPMENT COMMISSION**

**Monday, July 18, 2016  
7:00 pm  
Carver Town Hall Room #1**

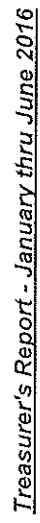
**AGENDA**

1. Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC;  
located off Montello Street in North Carver.
  - a. Discussion of the June 3, 2016 plan by VHB and the "Local's Alternative"  
plan by Bob Butler.
  - b. Discussion of the *preliminary* February 2016 draft of the URP (subject to  
substantial revision).
  - c. Discussion of the June 2016 Market Overview Study prepared by FXM
2. Correspondence (if any)
3. Bills Payable
4. Minutes: May 23, and June 6, 2016
5. Treasurer's Report
6. Next Meeting: August 8, 2016



Treasurer's Report - January thru June 2016

<u>Post Date</u>	<u>Check Number</u>	<u>Description</u>	<u>Checking Account</u>	<u>Savings Account</u>	<u>Principal Loan Account</u>	<u>Interest Loan Account</u>	<u>Carver Urban Renewal Plan Account</u>
Balance 12/31/2015			\$ 602.63	\$ 32,375.69		\$	\$ 40,003.08
1/30/2016		Interest on MM		2.74			1.02
1/30/2016		Interest on CURplan	\$ 602.63	\$ 32,378.43	\$	\$	\$ 40,004.10
Balance 1/31/2016							(6,675.00)
2/2/2016		Transfer to Ckng - Hayes Developmt					
2/2/2016		Deposit from CURplan	6,675.00				
2/4/2016		1198 Hayes Development Svs	(6,675.00)				
2/19/2016		1197 Christine L. Champ - Minutes/Sectry	(75.00)				
2/28/2016		Interest on MM		2.57			0.80
2/28/2016		Interest on CURplan	\$ 527.63	\$ 32,381.00	\$	\$	\$ 33,329.90
Balance 2/29/2016							(4,650.00)
3/23/2016		Transfer to Ckng - Hayes Developmt					
3/23/2016		Deposit from CURplan	4,650.00				
3/25/2016		1199 Christine L. Champ - Minutes/Sectry	(75.00)				
3/31/2016		Interest on MM		2.74			0.81
3/31/2016		Interest on CURplan	\$ 5,102.63	\$ 32,383.74	\$	\$	\$ 28,680.71
Balance 3/31/2016							
4/7/2016		1200 Hayes Development Svs	(4,650.00)				
4/15/2016		1201 Christine L. Champ - Minutes/Sectry	(75.00)				
4/29/2016		Interest on MM		2.65			0.71
4/29/2016		Interest on CURplan	\$ 377.63	\$ 32,386.39	\$	\$	\$ 28,681.42
Balance 4/30/2016							
5/24/2016		Deposit					
5/24/2016		Rte 44 Development, LLC					
5/24/2016		for FXM Economic Study					
5/24/2016		Transfer to Ckng - Hayes Developmt					
5/24/2016		Deposit from CURplan	1,800.00				
5/24/2016		43 Jill Marie Dr -gas pipe loan					
5/24/2016		pay back, sold the house		\$ 1,091.40			
5/31/2016		Interest on MM		2.76			0.77
5/31/2016		Interest on CURplan	\$ 2,177.63	\$ 33,480.55	\$	\$	\$ 36,882.19
Balance 5/31/2016							
6/3/2016		Christine L. Champ - Minutes/Sectry					
6/3/2016		1202 1mtg, 1/2 mtg no quorum	(100.00)				
6/7/2016		1203 Hayes Development Svs	(1,800.00)				
6/8/2016		1204 Christine L. Champ - Minutes/Sectry	(75.00)				
6/30/2016		Interest on MM		2.74			0.91
6/30/2016		Interest on CURplan	\$ 202.63	\$ 33,483.29	\$	\$	\$ 36,883.10
Balance 6/30/2016							

Page 2



Carver Redevelopment Authority  
Meeting Minutes for June 6, 2016

ACCEPTED  
JULY 18, 2016

Call to Order: The Carver Redevelopment Authority met on June 6, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. The meeting was opened by Mr. William Sinclair at 7:01 p.m. This was a joint meeting with the Business Development Commission.

Members Present: William Sinclair, Chairman; Brian Abatiello, Vice Chairman; Johanna Leighton, Treasurer.

Absent: Charles Boulay

Also Present: Marlene McCollem, Planning Director; Stephen Romano, Chairman of Business Development Commission; Robert Wilson, Business Development Commission; Jacqueline Gingrich, Business Development Commission; Michael Milanoski, Town Administrator; Christine Champ, Recording Secretary

1. Further Discussion of the concept prepared for the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.

Chairman Sinclair welcomed all to the joint meeting with the Business Development Commission. After the pledge of allegiance, Chairman Sinclair asked for a moment of silence to honor the memory of Mr. Frank Muscato and his service to the Town. He also wished that all would keep the family in their prayers.

Chairman Sinclair said that the comments had been taken back and revisions had been looked into. He stated that the night's goal was to try and get the Board to move to the next level, coming up with a conceptual plan so they could put together a plan. Chairman Sinclair said the plan was due on June 17, 2016, for the Board. He felt it was essential that the Board move forward so they could do the work and said it would be better for the community.

Chairman Sinclair asked for comments from the Board regarding the information in front of them.

Ms. Leighton apologized that she had not been present for a few months so she was looking for an update on things. Chairman Sinclair welcomed her back. He then went over the outline of the plan, noting the conceptual going in and out had been tweaked. Chairman Sinclair said at the meeting after she left the owners were invited who gave input regarding types of buildings. He told Ms. Leighton the Board was not there yet and it would be better defined from the economic study and the draft of the plan, itself. Chairman Sinclair said at the last meeting there had been a lot of discussion regarding public access.

Chairman Sinclair asked Ms. McCollem if there was anything further.

Ms. McCollem added to the plan, the key sheet, and went through the most current thinking. She explained that the property known as the Whitworth property was landlocked. Ms. McCollem went over the plan with the current curve at Montello, then on to Park Avenue. She noted there is a sharp turn into the site, the curve and alignment not being ideal for truck traffic. She explained that the plans show a T instead of a curve. Ms. McCollem went on to say the curve was being taken out and Montello was being redesigned with a piece into the property and then a turn. She said there would be one point of access.

The second point of access that the Board had been talking about is the red box, figure 1. That shows the second roadway leading into the site, explained Ms. McCollem. The property owned by the Cole family and their access into their parcel was shown. She continued that there were two major alignments for ways to lead into the site. Ms. McCollem said, right now Montello is parallel to Route 58 and comes into the Silo Marketplace. The alignment of Montello was difficult to get them to intersect in a safe manner and this would realign. Going over the second page, Ms. McCollem continued, there was also lane work proposed for Route 58 northbound which included a de-acceleration lane. She said there were no proposals for signals presently but there was a lane where people could wait to make the turn.

Ms. McCollem said the site is an industrial subdivision, an internal subdivision leading to a cul de sac. Ms. McCollem said at this point, the major concern was how the public traffic gets to the site as safely as possible.

Chairman Sinclair asked Mr. Abatiello if he had any questions or comments. He replied he had nothing. Mr. Abatiello said he looked at the plan the previous evening and thought a lot had been done. Chairman Sinclair thanked Mr. Abatiello for his input.

Chairman Sinclair inquired of the Business Development Commission if they had anything. They had no comments. Ms. Gingrich said she was good with the plan.

Mr. Abatiello moved to get a consultant to move forward on the plan. Ms. Leighton seconded the motion. It was voted unanimously.

Moving on to bills payable, the public began to raise their voices, speaking over the meeting. The chairman used his gavel and asked all to let the meeting move forward..

## 2. Bills Payable.

1 bill - Christine Champ (\$75.00)

Chairman Sinclair motioned to pay the bill. Mr. Abatiello seconded the motion. It was voted unanimously to pay the bill for \$75.

## 3. Minutes: May 23, 2016.

There could not be a vote as Mr. Boulay was not in attendance.

4. Treasurer's report.

Ms. Leighton spoke of the deposits for May. She wanted more information on what that was and the chairman said he would get that for her. Ms. Leighton stated for checking, the amount was \$2,077.63; the savings deposit amount was \$33,483.31; the Carver Urban Renewal Plan amount was \$35,082.96. The interest paid was \$4.11 and on the savings side it was \$13.46. The first deposit of \$10,000 was money deposited for FXM Associates economic study, Chairman Sinclair told Ms. Leighton. There was an \$1,800 withdrawal transferred to cover the check to Maureen Hayes. Ms. Leighton inquired about the savings deposit from one of the loan programs, for 43 Jill Marie Drive. Also, Ms. Leighton was looking for the check number to Maureen Hayes. The number was 1203.

Chairman Sinclair asked if there were any questions. There were none.

Mr. Abatiello motioned to accept the Treasurer's Report. Ms. Leighton seconded the motion. It was voted unanimously to accept the Treasurer's Report as submitted.

Ms. Leighton noted she received correspondence from Ms. Donovan of Rockland Trust Company that Ms. Donovan would not be available for the evening's meeting. Ms. Leighton was looking to schedule Ms. Donovan for the next meeting of July 18, 2016. Chairman Sinclair proposed that Ms. Donovan be available for a different meeting, perhaps an agenda when urban renewal was not on. He suggested, maybe beyond the July 18th, but in July of 2016, depending on people's schedules.

7. Next Meeting: Monday July 18, 2016.

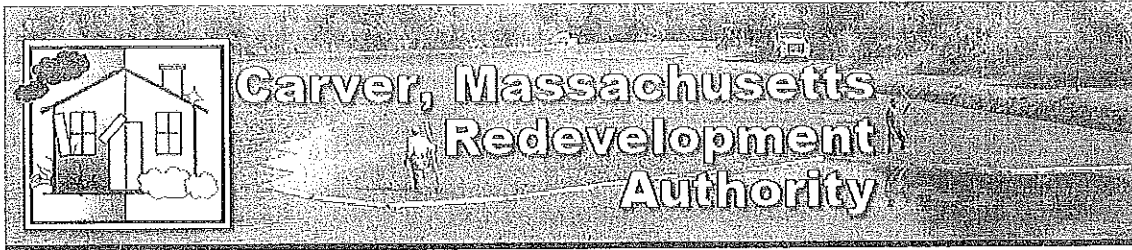
This date was good for the Board and the Business Development Commission. Chairman Sinclair noted there would be more of urban renewal and it would help FXM also with information for the Board.

On a motion by Mr. Abatiello, seconded by Ms. Leighton, the meeting adjourned at 7:25 p.m.

**Exhibits:**

Exhibit A: Agenda

Exhibit B: Treasurer's Report



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

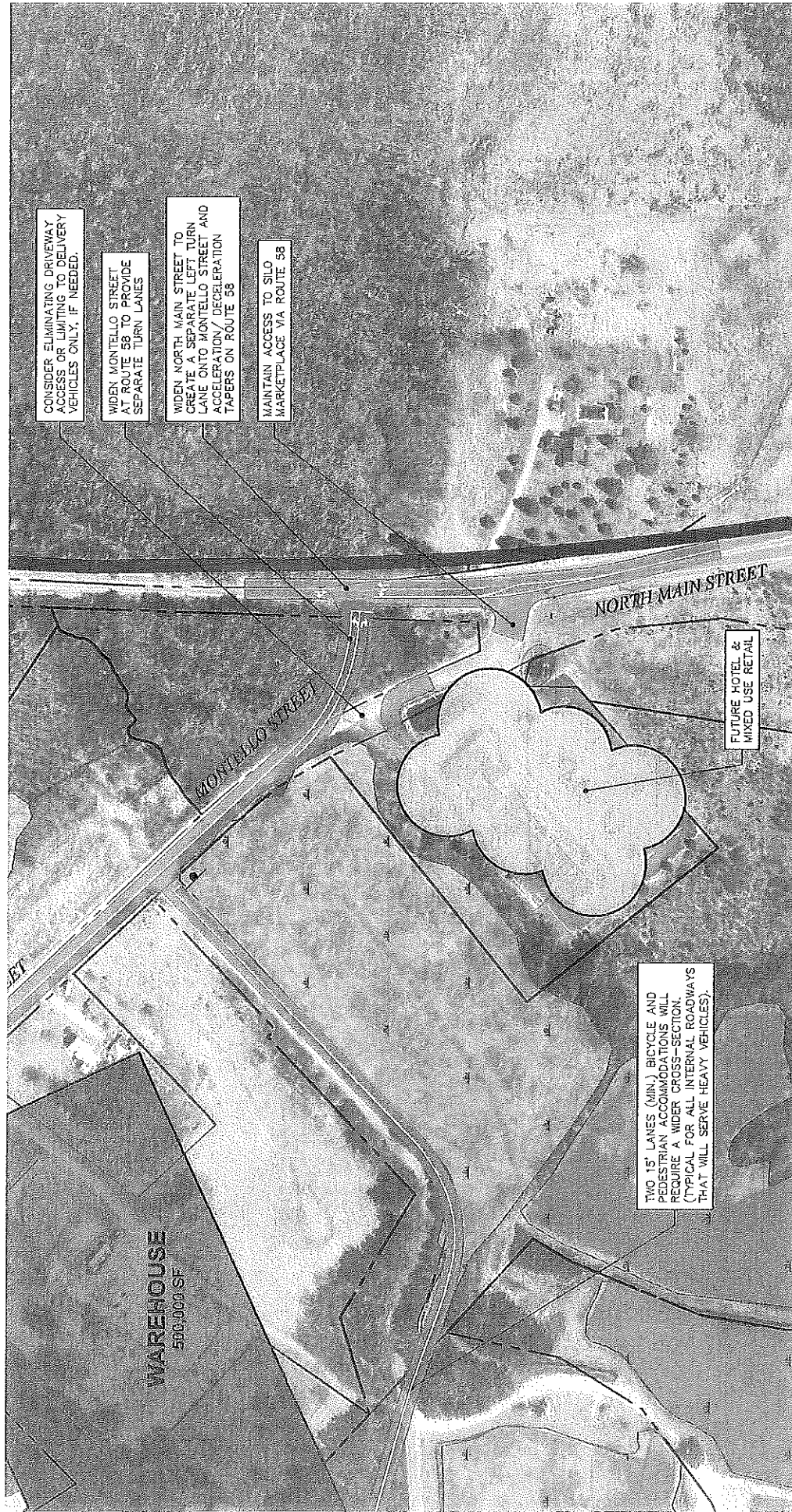
**Monday, June 6, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Further revision of the concept prepared for the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
2. Bills Payable
3. Minutes: May 23, 2016
4. Treasurer's Report
5. Next Meeting: Monday, July 18, 2016







# Potential Access Reconfiguration Urban Renewal Area Carver, Massachusetts

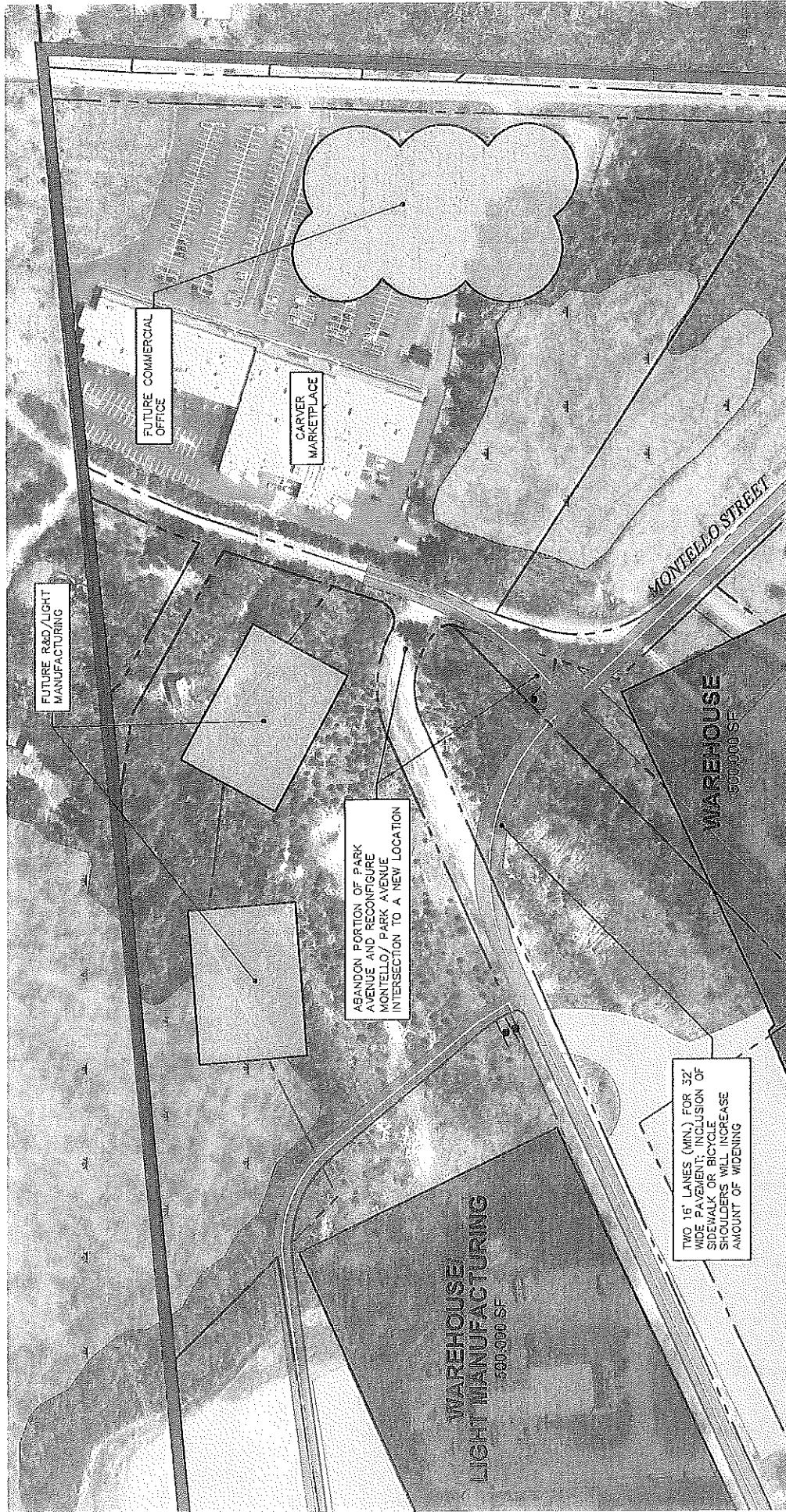
Prepared for: Route 44, LLC  
Date: June 3, 2016

NOTE: THIS GRAPHIC DEPICTS A POTENTIAL ROADWAY NETWORK THAT COULD SERVICE THE ENTIRE URP AND IS BASED ON A SURVEY AND DESIGN PROVIDED BY THE CLIENT. DETAILED GROUND SURVEY AND ROADWAY DESIGN WILL BE NECESSARY TO DETERMINE THE EXACT LOCATIONS OF THE ROADWAYS AND THE PROPERTIES THAT MAY BE AFFECTED.

- Legend**
- EXTENT OF PROPOSED URBAN RENEWAL AREA
  - SITE PROPERTY LINE
  - ABUTTING PROPERTY LINE
  - WETLANDS
  - STORM BASIN







# Potential Access Reconfiguration Urban Renewal Area Carver, Massachusetts

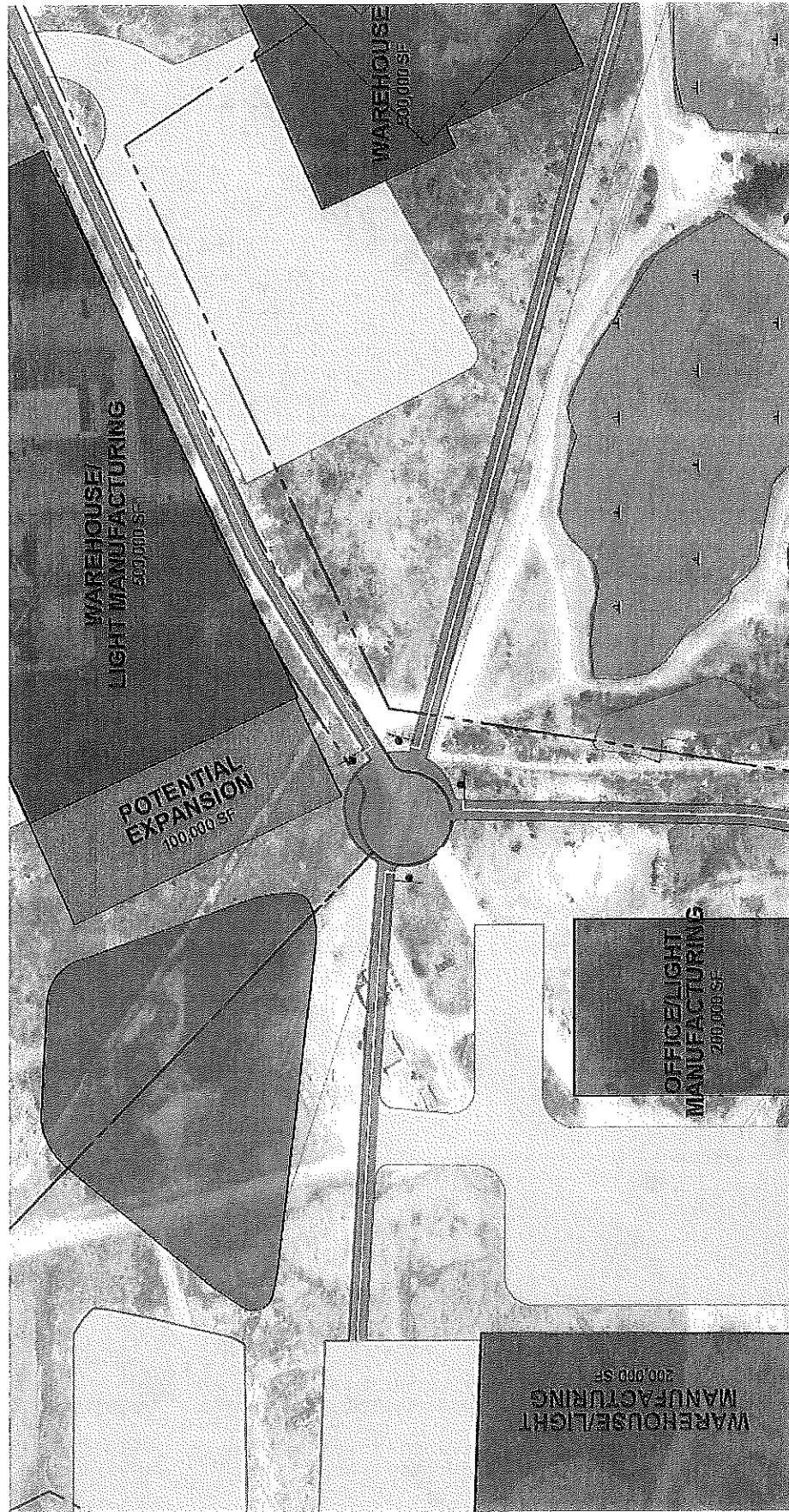
Prepared for: Route 44, LLC  
Date: June 3, 2016

(\\vtr\hvb\hvb-01\GIS\GIS\MapDocs\MapDocs\2016-06-03\2016-06-03\_Route 44\_LLC\_RenewalArea.dwg)

NOTE: THIS GRAPHIC DEPICTS A POTENTIAL ROADWAY NETWORK THAT COULD SERVICE THE URBAN RENEWAL AREA AND IS BASED ON A SIMILAR SKETCH PROVIDED BY THE CLIENT. DETAILED GROUND SURVEY AND ROADWAY DESIGN WILL BE NECESSARY TO DETERMINE THE EXACT LOCATIONS OF THE ROADWAYS AND THE PROPERTIES THAT MAY BE AFFECTED.

- Legend**
- EXTENT OF PROPOSED URBAN RENEWAL AREA
  - SITE PROPERTY LINE
  - ABUTTING PROPERTY LINE
  - WETLANDS
  - STORM BASIN

Figure 3 of 4



# Potential Access Reconfiguration

Urban Renewal Area  
Carver, Massachusetts

Prepared for Route 44, LLC  
Date: June 3, 2016

NOTE: THE GRAPHIC HEREIN IS A POTENTIAL ROADWAY NETWORK THAT COULD SERVICE THE ENTIRE UEP AND IS BASED ON A SMALL-SCALE SKETCH PROVIDED BY THE CLIENT. DETAILED GROUND SURVEY AND ROADWAY DESIGN WILL BE NECESSARY TO DETERMINE THE EXACT LOCATIONS OF THE ROADWAYS AND THE PROPERTIES THAT MAY BE AFFECTED.

**Legend**

EXTENT OF PROPOSED URBAN  
RENEWAL AREA  
SITE PROPERTY LINE  
ABUTTING PROPERTY LINE  
WETLANDS  
STORM BASIN

Figure 4 of 4







Treasurer's Report - January thru June 2016

	Check Number	Description	Checking Account	Savings Account	Principal Loan Account	Interest Loan Account	Carver Urban Renewal Plan Account
Balance	12/31/2015		\$ 602.63	\$ 32,375.69		\$ -	\$ 40,003.08
1/30/2016		Interest on MM		2.74			1.02
Balance	1/30/2016	Interest on CURplan	\$ 602.63	\$ 32,378.43	\$ -	\$ -	\$ 40,004.10
2/2/2016		Transfer to Ckng - Hayes Developmt					(6,675.00)
2/2/2016		Deposit from CURplan	6,675.00				
2/4/2016		1198 Hayes Development Svs	(6,675.00)				
2/19/2016		1197 Christine L. Champ - Minutes/Sectry	(75.00)				
2/28/2016		Interest on MM		2.57			0.80
Balance	2/28/2016	Interest on CURplan	\$ 527.63	\$ 32,381.00	\$ -	\$ -	\$ 33,329.90
3/23/2016		Transfer to Ckng - Hayes Developmt					(4,650.00)
3/23/2016		Deposit from CURplan	4,650.00				
3/25/2016		1199 Christine L. Champ - Minutes/Sectry	(75.00)				
3/31/2016		Interest on MM		2.74			0.81
Balance	3/31/2016	Interest on CURplan	\$ 5,102.63	\$ 32,383.74	\$ -	\$ -	\$ 28,680.71
4/7/2016		1200 Hayes Development Svs	(4,650.00)				
4/15/2016		1201 Christine L. Champ - Minutes/Sectry	(75.00)				
4/29/2016		Interest on MM		2.65			0.71
Balance	4/29/2016	Interest on CURplan	\$ 377.63	\$ 32,386.39	\$ -	\$ -	\$ 28,681.42
5/24/2016		Deposit					10,000.00
5/24/2016		Deposit	\$ 1,800.00				
5/24/2016		Deposit		\$ 1,091.40			(1,800.00)
5/24/2016		Withdrawal					
5/31/2016		Interest on MM		2.76			0.77
Balance	5/31/2016	Interest on CURplan	\$ 2,177.63	\$ 33,480.55	\$ -	\$ -	\$ 36,882.19
6/3/2016		1202 Christine L. Champ - Minutes/Sectry	(100.00)				
Balance	6/6/2016		\$ 2,077.63	\$ 33,483.31	\$ -	\$ -	\$ 35,082.96
Savings Account Interest PD YTD \$ 13.46							Carver Urban Renewal Plan Account Interest PD YTD \$ 4.11

APPROVED  
9.12.16

**Carver Redevelopment Authority  
Meeting Minutes for May 23, 2016**

Call to Order: The Carver Redevelopment Authority met on May 23, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. The meeting was opened by Mr. William Sinclair at 7:01 p.m. This was a joint meeting with the Business Development Commission.

Members Present: William Sinclair, Chairman; Charles Boulay; Brian Abatiello, Vice Chairman

Also Present: Marlene McCollem, Planning Director; Stephen Romano, Chairman of Business Development Commission; Robert Wilson, Business Development Commission; Christine Champ, Recording Secretary

1. Further Discussion of the concepts prepared for the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.

Chairman Sinclair thanked all for attending and thanked all who attended the last meeting.

Ms. McCollem gave a brief overview of the conceptual plan from the last meeting, and for the Redevelopment Authority, she had developed a few things for their consideration. She spoke of the configuration of buildings (1.a.) which would allow for large buildings, like a distribution center that they had seen at the meeting. On another concept plan (1.b), small buildings allowed for two-point access with a reconfigured curb at Montello Street. Also, a realigned intersection at Route 58. Ms. McCollem suggested that both would require the acquisition of single-family residences that were discussed at the previous meeting.

Concept plan b.a would avoid using the single-family residences. It would allow for development with a large single parcel and two points of entrance.. It would only utilize vacant property, none with current structures. Concept plan b.b also utilized vacant land and no structures would need to be acquired. There would be two points of access, a realigned curb leading into an industrial cul de sac. Concept plan c.a would result in a large parcel with only one point of access off of Montello Street. It would utilize some of the currently owned property for the roadway and would have the most limited improvement to Montello Street. It would essentially lead into the site as far to the south as possible. Plan c.b showed a similar circulation plan allowing a potential with a smaller footprint. It would also avoid acquisition of any of the structures on properties but would also limit the improvement to Montello Street. Those were the six plans from the comments.

Mr. Sinclair asked for comments from BDC members. Mr. Romano reminded all that they must accommodate the fire road. He noted that regarding the road in and the road out, you need two roads in and two roads out. Mr. Wilson agreed and said the Fire Department won't accept it. He referred to a plan which showed the road could be cut in instead of going through the property.

Mr. Sinclair asked Mr. Abatiello how he felt about the plans. Mr. Abatiello felt the same way but liked the half dozen options. He was looking at b.a, showing the road going toward Plympton. Mr. Abatiello wondered, where the road ended up. From Route 58 and Montello Street intersection, Montello would be split or T'd to the north. That curve would be realigned as an intersection and the gravel easement would be closed. Regarding the plan on the wall, he wonders, just to a dead end? Ms. McCollem answered, back into the side and then the curve would be taken out and it would be the T intersection instead of a sharp curve. That was Mr. Abatiello's only concern.

Mr. Sinclair inquired of Mr. Boulay and he concurred with the members.

Mr. Sinclair observed that it looked like the conceptual plan (b.a) was not having any effect on residential houses but had an affect on the property owned in the majority by Coles. Ms. McCollem said yes. She said there would be no demolition of structures but property needs to be acquired at a few spots.

Mr. Sinclair thought the c plans did not have enough access going into the sites and he thought some type of a combination would allow another access point to go in. Mr. Wilson asked about (c.b) the existing road going into the project, if it was brought back into focus, would it have two main egresses from the property? He also referred to another spot on the plan and said it would have a complete loop through the whole project.

Mr. Sinclair could see his point and said they would have to rearrange the access or have some type of stop sign. Mr. Wilson said on plan c.b, where it says, rule access road, you would come in and make that the same as a.b, and you would not have to take over. Mr. Sinclair said that was a good way to get further away from the residences. Mr. Sinclair and Mr. Wilson conferred to make sure their notations on the map were correct. Ms. Sinclair showed Ms. McCollem the same.

Mr. Sinclair asked for any other questions or concerns. Mr. Abatiello said that suggestion makes a lot of sense and limits the intrusion.

Mr. Sinclair asked for any other comments from the Board and there were none.

Mr. Sinclair addressed the public. He said he would make sure this was out there for the public so they could see it and added, multiple plans had been put together since. He asked all to come up, identify themselves, and be brief, opening up the floor for opinions.

Mr. Robert Butler, 26 Montello Street, Carver, stated it looked like two accesses. He said he would like to encourage use of south to keep traffic away from residential, if possible.

Ms. Lisa Maffioli, 11 Heather's Path, Plympton, spoke to the usage road toward Plympton, inquiring if that is a second access to the park. Mr. Sinclair said it was. She said it is a dirt road

allowing no trucks. Mr. Sinclair said it was before that. Ms. Maffioli replied that you have to go through Plympton to get to it and Mr. Sinclair stated it loops out south. Ms. Maffioli wanted to know if it went through Plympton. Mr. Abatiello went to the board and pointed it out. She was concerned about this point. Mr. Sinclair did not think that was what was being referred to.

Ms. McCollem interjected, the intent of circulation to Montello was that it was a public way as it existed and it would be limited to truck traffic between Route 58 and Park Avenue. She added the road might be re-paved, et cetera. Ms. McCollem added, on Route 58 northbound, there most likely will be a de-acceleration lane. There's no intention for providing access for trucks.

Ms. Maffioli questioned the amount of travel through to the park. Mr. Sinclair answered that the intent was to keep traffic to the southern part of the development. Ms. Maffioli continued inquiring regarding the road and people using it and Mr. Sinclair said he could not answer her question but he would look at it.

Mr. Gordon Massingham of Montello Street in Plympton said he was interested in the term, vacant land. His property was listed as vacant land. His vacant land had a well and driveway. He wanted to understand. Mr. Sinclair referred the question to Ms. McCollem. She said she used the term as, not improved with a structure. She said they would relocate and he said okay. Mr. Sinclair thanked him for his question.

Ms. Melissa Singletary, 4 Heather's Path, Plympton, said she appreciated people putting ideas in to separate out plans, to accommodate, and some simple things discussed at the meeting to have them do. She noted she had a laundry list of things that she would submit. Mr. Sinclair said he was happy with that. Ms. Singletary said she still thought the traffic, et cetera, was unacceptable and it was not helping with the neighborhood. She said she was happy with the thoughts but wanted things scaled back. Ms. Singletary said she appreciated but it was not a satisfactory plan. Mr. Sinclair appreciated her input and said the staff had really tried to accommodate the issues and concerns. He added he greatly appreciated and thanked her.

Mr. Sinclair asked if there was anyone else with comments. There was no response. Mr. Sinclair then asked all to send correspondence.

Mr. Wilson wondered about taking second road -- existing Park Avenue as second road (ie fire access only) -- but leaving connection between Park Avenue and new entrance off Montello.

Nancy Massingham, 24 Montello Street, Plympton, questioned regarding taking of land. She said it would reduce the value of homes and she didn't understand how urban renewal could happen through eminent domain. She said she found it frustrating and felt it was unreasonable. Mr. Sinclair thanked her for her concerns.

Mr. Sinclair then asked if there were comments from anyone else.



Mr. Allen Maynard of Plymouth Street, Carver, said he was concerned about what went on in the town but he was not affected. Mr. Maynard commented on the words, urban renewal, and stated this was not an urban area. Regarding eminent domain, the taking of private property by the government for public purpose, he referred to the Supreme Court, saying they passed laws so it could not happen in places. Mr. Maynard said he had been here 15 years and he felt it could be done right and not violate us as a country. He noted eminent domain was for public use and his parents lost their house in the '60s. So, he understood. He said that was all he had to say. Mr. Sinclair thanked him.

Mr. Sinclair said he would try to get clarification and get back to those on the email list.

Mr. Richard Jackson, 4 Heather's Path, Plympton, said he was wondering if you could tell people what the benefit of urban renewal law gives, besides taking people's houses. Mr. Sinclair said he was looking at a better way to develop. Mr. Jackson referred to Mass. General Law 21B and questioned if there was any other benefit to the town. Mr. Sinclair answered that he thought it allowed you to look at the whole area and not just one property, to better see what was better for all properties. He stated, eminent domain would be the last thing he would want. Mr. Jackson said he felt the town was looking to take homes away and he wanted it taken off the table completely. He said he felt the power of the state to use for commercial is not fair. Mr. Sinclair thanked him for his comments.

Ms. Jean Winslow, 28 Heather's Path, Plympton. Ms. Winslow stated, besides this process she went through with the planning board, she is an abutter. She said she received a letter to participate. She said she and Mr. Sinclair walked the neighborhood, he was concerned, and they were pleased with the feedback. She was referring to minutes of October 27, 2015. She felt on November 18, this plan came to light. She said he created a plan that disrupted the neighborhood. She felt he spearheaded the plan two and a half weeks later.

Her second statement was, this plan talked about taking properties. She said she was referring to the June 9 minutes. Isn't all this hypocritical, she wanted to know. Mr. Sinclair responded, during that process, none of this was mentioned so how would he have known?

Mr. Sinclair stated, when things come up, he is involved and his concern is for the public safety. He said this was his major concern and he was concerned with the community. Mr. Sinclair indicated, there is just site preparation, just like the ones today are conceptual.

Ms. Melissa Singletary stated she investigated the company Route 44, LLC, and all over their website it said, we save homes. She said they were behind the distribution center and backing all the town costs and she felt this was shady. Mr. Sinclair thanked her for her comments.

Ms. Lisa Maffioli, 11 Heather's Path, stated she attended the last Board of Selectmen meeting. She said they were quite pleased and then this came to fruition weeks later. She said transparency is key. Mr. Sinclair thanked her.

Mr. Robert Butler, 26 Montello Street, spoke to Ms. McCollem. He said there were 26 or 28 properties and some were acquisition and some were not acquisition. He asked if there was any chance the white properties to go after, were not to be acquired properties? Ms. McCollem said it was based on the development plan that you look at, based on the concept you choose to proceed with. If structures were in the plan that you proceeded with, that would determine what areas were needed to build that design. That would drive what land was necessary.

Mr. Butler asked if the page was preliminary, a guideline of that time. Ms. McCollem said the matrix from the April meeting was the plan for the April meeting. She said what you decide to go with for development will be determined by the plan. Nothing had been finalized until the Board planned to make it so. Mr. Butler wanted to see the intent of the Board as trying to not take properties/buildings. Mr. Sinclair answered that they were trying to not acquire anyone's property and that he didn't know the future.

Alan Dunham, 11 Rickard Street, Carver, stated he wanted, at the June 27 meeting, one more meeting devoted to this for public input. He asked if it would be considered, one more meeting before the final on the 17th.

Kathy Cohen, 20 Heather's Path, Plympton, said she had a few questions. She asked, did someone or two groups purchase this land? She then asked, where are they in all of this? She recalled an attorney who spoke at another meeting. She then asked, are there people going to be in those warehouses? She said she had seen fires, drugs, needles, stealing steel off buildings. She said it was disgraceful how it looked and said she almost got hurt there by drag racing. Where are the owners, she wanted to know.

Mr. Sinclair said he did not know the answers and asked the Board for any additional comments or questions. He asked the public to submit their concerns.

The public left at 7:59 p.m.

## 2. Property disposal for 94 Forest Street.

Mr. Sinclair said Morse had done the engineering and now it would be brought to the realtor to be disposed of. Brenda at Century 21 was considered. He asked if there were any thoughts regarding this. Mr. Abatiello said Mr. Sinclair met with Brenda and showed documentation. He said marketing would be the next step. Mr. Abatiello motioned to use Century 21. Mr. Boulay seconded the motion. It was voted unanimously to go forward regarding same.

## 3. Governor's Appointment for vacant seat.

Mr. Romano stated he had an interest. The seat was still available. Mr. Romano said he was recreating his resume and he was interested. Mr. Sinclair said Ms. McCollem would help anyone who was interested. Mr. Sinclair asked for any questions and there were none.

4. Article 40 from the May 21, 2007, Town Meeting re: transfer property at 17 Green Street from Board of Selectmen to the Redevelopment Authority.

Ms. McCollem said the property at Green Street, grange hall property, was brought to Town Hall to assign to Redevelopment Authority. Now there is a person of interest to purchase. She said they would like to move forward and write a letter to the selectmen to get more information on transferring over.

5. Bills Payable  
Christine Champ (Invoices 114 and 117)  
Maureen Hayes (May 9, 2016)

Christine Champ - April 12, 2016, and April 13, 2016 invoices (\$100).

Mr. Abatiello motioned to pay the bills. Mr. Boulay seconded the motion. It was voted unanimously to pay the bills for \$100.

Maureen Hayes - May 9, 2016 invoice (\$1800). 12 hours of service. Mr. Sinclair read the invoice of services rendered from the bill.

Mr. Abatiello motioned to pay the bill. Mr. Boulay seconded the motion. It was voted unanimously to pay the bill for \$1800.

6. Minutes: March 21, 2016, and April 13, 2016.

Mr. Abatiello motioned to approve the minutes of March 21, 2016. Mr. Boulay seconded the motion. It was voted unanimously to approve the minutes of March 21, 2016.

Mr. Abatiello motioned to approve the minutes of April 13, 2016. Mr. Boulay seconded the motion. It was voted unanimously to approve the minutes of April 13, 2016.

7. Next Meeting: Monday June 27, 2016.

Mr. Abatiello would not be available for the date of June 27, 2016. The date selected was June 6, 2016. Mr. Abatiello motioned to meet on June 6, 2016, at 7:00 p.m. Mr. Boulay seconded the motion. It was voted unanimously to meet on June 6, 2016, at 7:00 p.m.

A date of July 18, 2016, was selected for an urban renewal meeting. Mr. Boulay motioned to meet on July 18, 2016. Mr. Abatiello seconded the motion. It was voted unanimously to meet on July 18, 2016.

On a motion by Mr. Abatiello, seconded by Mr. Boulay, the meeting adjourned at 8:17 p.m.

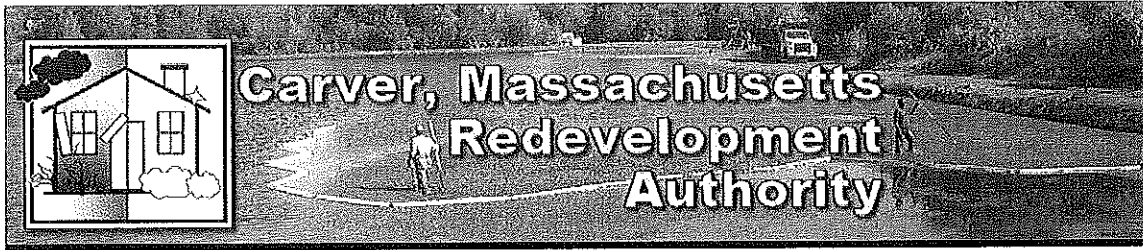
**Exhibits:**

Exhibit A: Agenda

Exhibit B: Minutes of March 21, 2016

Exhibit C: Minutes of April 13, 2016





108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:  
CARVER REDEVELOPMENT AUTHORITY  
AND  
BUSINESS DEVELOPMENT COMMISSION**

**Monday, May 23, 2016  
7:00 pm  
Carver Town Hall Room #1**

**AGENDA**

1. Further discussion of the concepts prepared for the Urban Renewal Plan; 127-acre parcel owned by Rt-44 Development, LLC; located off Montello Street in North Carver.
2. Property disposal for 94 Forest Street.
3. Governor's Appointment for vacant seat.
4. Article 40 from the May 21, 2007 Town Meeting re: transfer property at 17 Green Street from Board of Selectmen to the Redevelopment Authority.
5. Bills Payable: *Christine Champ (Invoices 114 & 117)*  
*Maureen Hayes (May 9, 2016)*
6. Minutes: March 21 & April 13, 2016.
7. Next Meeting: Monday, June 27, 2016.

## **Carver Redevelopment Authority Meeting Minutes for April 13, 2016**

Call to Order: The Carver Redevelopment Authority met on April 13, 2016, at the Carver Town Hall, Room #1, 108 Main Street, Carver, Massachusetts. The meeting was opened by Mr. William Sinclair at 7:02 p.m. This was a joint meeting with the Carver Business Commission.

Members Present: William Sinclair, Chairman; Johanna Leighton, Treasurer; Charles Boulay; Brian Abatiello, Vice Chairman

Also Present: Marlene McCollem, Planning Director; Jacqueline Gingrich, Business Development Commission; Stephen Romano, Chairman of Business Development Commission; Maureen Hayes of Hayes & Hayes; Michael Milanowski, Town Administrator; Christine Champ, Recording Secretary

1. Discussion with property owners inside the limits of the Proposed North Carver Urban Renewal Plan.

The members of the Board introduced themselves. Chairman Sinclair thanked everyone for coming and he appreciated input from all. He instructed all attendees to fill out their name, address and email for future correspondence.

He then described the background for the public regarding the urban renewal, stating that over the years, other boards have worked diligently over the North Carver area. He further explained to the public that all boards have worked to develop and zone, making sure proper tools were in place to protect all.

Members of the public continued to enter.

Chairman Sinclair continued, stating, the farming community has done quite well. The master plan is 12 years old now. He noted the residents had done this over time, as well as the boards, and through the work of many individuals, all has come to now. The water system was built, as well as development, and the economic study was done. Also, a long base project had been done. Chairman Sinclair stated, during that time, this community has worked to put things in place to protect the community. He spoke about the green park, enticing green business and keeping the area green. Chairman Sinclair noted, the Redevelopment Authority, working with other boards, has come to this plan which is the Urban Renewal Plan of North Carver.

Chairman Sinclair wanted the public to know they were necessary to input for moving forward with this plan. He referred to the screen on the wall for the public to see. He described the urban renewal area (the green area, 80-100 room hotel, mixed use area, et cetera). He stated these have all come from the master plan which came from different ideas. Also, everything was subject to change. Chairman Sinclair said, people will be impacted and have been invited for input and

they are here as a partner with us to input.

Chairman Sinclair stated there were 12 properties that would be affected in this area. He talked about the impact, per the map. Someone from the audience requested that the 12 properties be read aloud. Chairman Sinclair read a list of the properties and said these would be affected if the project went forward.

Chairman Sinclair said this was not a public hearing; that it must be heard and then submitted to the state. He said he was here to have questions from the audience; that there were no answers tonight. He further stated, the Board is here to right wrong information. It must go through MEPA, Conservation Commission, traffic impacts, road impacts. All must go through these channels.

Chairman Sinclair asked for members of the public to give their name, address, and concern.

Melissa Singletary of Heather's Path, Plympton, asked if there were any members in the way and continued, shouting. (She is quite upset.) Chairman Sinclair asked her to calm down. She continued shouting.

Nancy Maskim of 24 Montello Street, Carver, inquired about the project for urban renewal, and asked, is that how we get around, just to make money? Ms. Hayes addressed this public member, referring to court law.

Bob Gorham of 23 Heather's Path, Plympton, inquired about keeping rural development of Carver. He suggested it was semantics and he said it was a monstrosity. He added, Brockton, not Carver, and it is urban versus rural.

Gordon Massingham of Montello Street, Plympton, said, urban renewal? Ridiculous. Mr. Massingham said he grew up in New Bedford and said it was ruined. He also stated, urban renewal helps them to take property. Mr. Massingham asked, how are you going to keep it urban? He said he watched New Bedford. He spoke about warehouses and traffic. He said he thought it was disgusting.

Chairman Sinclair answered some of his questions saying the outlier has to go through permitting. He further stated those ideas came from the master plan which was approved 11 years ago by the community. Everything must go through proper planning and wetlands delineation, he continued. Also, Conservation still has to go through.

Jean Winslow of 28 Heather's Path, Plympton, asked, how did we lose spreadsheet? She stated she was active in the past and her property directly abuts. She referred to all her neighbors in the audience. She said Heather's Path was gone from the map; 11 or 12 homes, plus 3 others, she said. She said they were directly affected. She asked for a show of hands for those who want it in their back yard. None raised. She stated she had been involved in past projects and she

thought she should have known earlier. She showed Chairman Sinclair a plan and wanted to know why she had not received it. She stated she had lived there 22 years. Ms. Winslow and Chairman Sinclair discussed previous knowledge of the plan. She was asking if anyone would want this in their backyard. No results. Ms. Leighton said she had not decided. Chairman Sinclair said this was in his backyard. Ms. Winslow disagreed. She wanted to know how it benefitted her and brought up the “right to farm community”. Ms. Winslow asked what could be farmed. Ms. Winslow continued asking the board the question and stated she felt the board benefits by this.

Lorna Rankin of Main Street, Plympton, stated she did not live in the neighborhood. She said she had concerns for neighbors and traffic. Ms. Rankin stated she was very concerned about the Dunkin’ Donuts parking lot and traffic. She went on to say if Plympton did this to Carver, she hoped they would think of the same. Chairman Sinclair said if it was ever implemented, it would have to go through environmental concerns through the State. Ms. Rankin felt the studies were done before Dunkin’ Donut and she still has had near misses. She said she utilized the dance studio in Carver. And now, with the big gas station, the studies didn’t comfort her.

Maureen Callahan of 10 Heather’s Path, Plympton, said she would not have known about this unless her neighbor put the information in her mailbox. She thought she should have been notified. Ms. Callahan stated her concern was with 30+ trucks going up Montello Street. She agreed no Plympton resident would benefit from that.

Robert Butler of 26 Montello Street, Carver, stated his property was inside the zone. He thought the plan was revised in the last six months and he wants it acknowledged. Chairman Sinclair acknowledged that North Carver had looked at it, along with the master plan, to bring the parcel or map, given when the applicant went through the process. Mr. Butler said he thought Chairman Sinclair was weaseling. He asked if the area increased and Chairman Sinclair said, yes. Mr. Butler asked if there was a developer interested or just the town and Chairman Sinclair answered that there was an interested party. Mr. Butler wanted to know if someone requested permission to build three properties and Chairman Sinclair said no. Mr. Butler then asked if this was Chairman Sinclair’s pipe dream. Chairman Sinclair said no and that it was from the master plan. Mr. Butler then asked if it was someone who wanted 3 orange blocks and Chairman Sinclair said no.

Someone from the audience asked if there was an end user, to which Chairman Sinclair answered that an owner had an interest.

Someone else from the audience inquired, who requested 2 million square feet of space? Ms. McCollem addressed this question. She stated Carver Redevelopment Authority would not be building anything. She also stated a private developer (Route 44, LLC) would be handling the redeveloping. She had no idea of the end user.

Mr. Butler then said, if no one, he’s lost. If there is someone, he can have some sympathy for



what is going on here. Ms. McCollem addressed Mr. Butler's comment saying, it must be a viable plan before it goes forward. There was an identified developer in mind. Mr. Butler continued, addressing the map on the wall. He thought maybe reconsider pulling back so as not ruining so many people's lives. He then stated he was done.

Lisa Maffioli of 11 Heather's Path, Plympton, questioned the access road. Mr. Butler helped her with the plan. Chairman Sinclair addressed the road she was asking about. He said there would be traffic impacts throughout. She stated that she wanted to know if he had contacted the Town of Plympton about road usage by trucks.

A gentleman named John who lived at 20 Montello Street, Carver, said he was renovating and wondered what he should do next. He asked, what if it is bulldozed? What happens then? Chairman Sinclair addressed his concern. He said he knew that none of this would get built unless it goes through the permitting phases.

According to Ms. Hayes, relocation costs, specific by state, would be covered. Also, the State requires the owners to be compensated for their property. Ms. Hayes said they should get at least two appraisals. She said the benefit would be the land and building and the other benefit would be relocation. Ms. Hayes said it was very individualized with all kinds of options and that would be worked out with the relocation consultant. She went over a few options with the gentleman from 20 Montello Street. Ms. Hayes said, relative to renovation, it would be hard to answer and she could not guide him one way or another. He questioned if it would still go before the State and Chairman Sinclair said yes.

An unidentified female asked when that meeting was and Chairman Sinclair stated he did not know. She stated the purple line takes 3/4 of her backyard yet she was not on the list of 12. She wanted to know if there were State funds to make them whole.

Richard Jackson of 4 Heather's Path, Plympton, pointed out his property on the map. Ms. Hayes addressed this informing him his was not one of the 12. He asked if his property would be taken by eminent domain and Chairman Sinclair said, if. These are all ifs.

An unidentified female said, it's not zoned for that. Ms. McCollem said the plan showed a number of things. The buildings in red were the current phase that the plan speaks to. The 12 properties were those impacted that were directly necessary to be acquired to build these facilities. The grey with green tags are not properties being acquired. Ms. McCollem stated the life of the plan was 20 years. There were 28 parcels in the purple line, 12 are impacted. The permit level impacts that and all will deal with. Ms. McCollem said the current phase would require 1 parcel to be re-zoned. Ms. McCollem showed the parcel to be re-zoned to the green business park. She explained re-zoning, needing 2/3 vote.

Ms. Hayes said even if it changed later on, it was a major plan change and it must be re-approved by the State.

Richard Jackson asked about the tax rate change and Chairman Sinclair said he would ask. Ms. Hayes said the tax rate would not change. Ms. Winslow asked if the valuation would drop. She continued that 28 can be taken eventually and wanted to know who were the other 16? Chairman Sinclair said he could provide the list to her.

Ms. Rankin asked if there would be compensation for the property value change. Ms. Hayes said she could not answer that question as she had never heard of it before. Ms. Hayes further stated, if the property was not acquired, there would be no compensation. Ms. Winslow said she had done a study and Ms. Hayes responded to her regarding the same.

Mr. Massingham said he felt junk jobs coming, for Taunton and Brockton workers. Also, he suggested, people who were impacted by eminent domain, start attacking the title, urban renewal. Thirdly, he polled the audience of how many were opposed and he wanted it on record to show all the participants against the project.

Richard Lane of 26 Montello Street, Carver, inquired if they would know soon if they were one of the 16. Chairman Sinclair said he was in the urban renewal zone. If he is in the development area, it is a major change to his property.

Ms. Hayes said when they change to the plan, it could go from acquired to not acquired. Chairman Sinclair said they are cleaning the site under very specific conditions set by the planning board and he said he was not aware of any specific development that was going in. There would be a permit requested. Ms. McCollem said she did not know the company.

Ms. Winslow asked, what if a fertilizer plant was going in? Chairman Sinclair said they need a permit.

Melissa Singletary wanted to know why she received material and others did not. She said she thought they were hiding it from others. She was questioning the CBC getting in trouble for notification in the past.

Nancy Maskim wanted to know if there was any recourse. Chairman Sinclair said he would be reaching out to neighbors and this would be done at the public hearing stage. He wanted the public to have input. Chairman Sinclair said the board will have information and give the public invitation to Redevelopment Authority meetings.

An unidentified person asked about emailing. Chairman Sinclair said that was what he had stated when asking for names and addresses on the sheet.

Bob Gorham of 23 Heather's Path, Plympton, said he felt a lot of people were affected. He spoke to the traffic passing at the end of the street. He inquired if there were plans for diesel tanks and repair facilities coming. He felt people were being upset before the plans were final. Mr. Gorham felt there were no answers yet and he said he thought this was grossly irresponsible.

An unidentified speaker (Mr. Lane?) said a dense grade was safer for kids. He was speaking to kids and 20 feet of dense grade, his safety concerns.

An unidentified person said they had seen trucks (2) on the weekend.

Mr. Lane asked about an excavator digging up. Ms. McCollem said the property had been reclaimed by the owner. She asked if he was in the room. (No audible response.) Ms. McCollem said she did not know what his plans were for his property. Chairman Sinclair said he would find out.

An unidentified person said they were emailing photos to Chairman Sinclair.

Jon Wilhelmsen of 255 Main Street, Plympton, said he was not impacted. His suggestions, a distribution center, encourage to be flipped; instead of facing 44, it would do something to reduce the noise. Also, he encouraged the Redevelopment Authority to do anything to mitigate, having oversight of tenants. Mr. Wilhelmsen also suggested, no backup noise at 4 a.m.; lighting considerations, for minimum impact; basins or retaining ponds (mosquitoes). His suggestion was to try to mitigate some of these issues. He also suggested a stop light for Dunkin' Donuts and the new gas station or the area will become like Route 106 in Halifax. Mr. Wilhelmsen also suggested maybe try to find other ways. He made suggestions on changes to the road. He felt the plan could be dealt with and to make sure the Boards have power to be part of this park, having some control over. He said, it will be hell for the Boards. He spoke to the Sysco facility.

Mike Milanowski addressed the public and thanked all for coming. He informed them this was an informational pre-meeting to get some feedback. He said that these board members are volunteer. He spoke to the master plan and addressed conceptual uses on the map. Mr. Milanowski said people who own land have the right to develop the master plan. There are 20 to 30 meetings with residents and then they put together a plan. He said he was sorry for Plympton residents.

Mr. Milanowski then spoke about Sysco. He said this could be Sysco. He explained the process Sysco went through to put Sysco in and he explained the benefit of Sysco. There were some public responses and Jon Wilhelmsen stated, it has helped.

Mr. Milanowski added that nothing will be taken until the company comes to the developer and wants to develop the area for their use. He stated, this is maximization of the site and we would not be responsible if we did not give you the worst case scenario.

He then thanked the public for coming, again saying it may or may not happen. There was more back and forth conversation between Mr. Milanowski and some excited public members. Chapter 121B, he suggested.

Chairman Sinclair stopped the discussion at 8:36 p.m.

Mr. Bob Casanrator (phonetic) asked, is there a possibility that nothing will be built there? Just a plan? Chairman Sinclair said it was just a conceptual plan.

Mr. John Allen of 20 Montello Street asked, what kind of time line, after approval? Chairman Sinclair said, 1 to 20 years? Who knows? He also said the developer had some interest. Ms. McCollem said that once the plan is approved, all permitting boards are dependant on market and tenant to move in there. She noted, if the tenant goes elsewhere, it may never happen. If the potential tenants go away, you have to re-interest the property to new tenants. If the redeveloper does all improvements, he may be able to sell (in a number of years). If not, he's stuck with re-selling. Ms. McCollem said there was a huge amount of uncertainty. She noted they want to be ready when opportunity knocks. Mr. Allen asked if there was any time frame. Ms. Hayes said it is either approved or you re-submit (120 days) for permitting.

Mattew Hennesen of 9 Center Street, Carver, stated he was not impacted by this but he wanted to understand the plans. Regarding the Town Master Plan, he was questioning the green zone. He thought it should be more well-known. He didn't understand why it would be re-zoned for them. Chairman Sinclair informed him the property owner was getting ready. Mr. Hennesen could not understand why it could not be un-zoned. He thought that as land was acquired, they go along and permit/zone. He referred to the road study. He was concerned about traffic fatalities. He did not understand re-zoning before underway. He asked about Mass. town notice. Mr. Hennesen said he should have known and been informed.

An unidentified woman wanted to echo Jon Wilhelmsen. She recommended very carefully researching. She stated Sysco didn't go as she planned. She encouraged the board and people of Carver to think of impacts.

Mr. Butler wanted to add something about the road. He stated there was another meeting 6 months ago and the changes seem to be in response to what people were saying. He understood it to keep traffic away from Dunkin' Donuts. He suspects there will be a lot of traffic lights. He feels the board isn't doing something about traffic, listening and making changes.

Mr. Hennesen is requesting information. Ms. McCollem answers him to identify properties, zoning, get signatures, submit to warrant. He then ask how to do a group standing. Ms. McCollem informs him of procedure to do same. He states he is just looking for information.

James Cole (phonetic) stated he owned cranberry bogs on the map. He stepped up and referred to the map. He suggested changes to the road on the map and possible alternatives. Mr. Cole said his family dealt with eminent domain so he appreciated same.

Richard Lane of 26 Montello Street spoke again. He asked if 5-7 acres (to modify plan) could shift.



Bruce Tesar of 16 Montello Street stated he did not think he was on the list. Referring to the map, he suggested they can't put on swampland. He asked, do they have feelers out to business? Searching for developers? Chairman Sinclair answered, the majority was from the private sector. Mr. Tesar is questioning selling to a developer. Chairman Sinclair replied that the initiatives were addressed to make Carver apt for business. Mike Milanowski said we were now in the State marketing plan. He said there were large leads throughout state feelers.

Joseph Davis of South Meadow Village spoke. He had just moved to Carver from Plympton. He stated he could hear all night at Sysco. Mr. Davis said his main point is about eminent domain law. He is questioning the law regarding same. He questions, is it passing now? More of a roadway project? Infrastructure? He wonders if it is going forward now to get in faster. Ms. Hayes said she was not aware. She states she will look into it. He states he saw it in the news the other morning. Chairman Sinclair says, we'll look into.

Mr. Hennesen asked about other incentives instead of putting people out of homes.

Mr. Butler is concerned about bogs plus two feet, it is all wetlands. He wants to know if this has been taken into consideration and Chairman Sinclair says it has. He stated that the back part of his property is unusable due to wetlands. Chairman Sinclair said he was aware.

Mike Milanowski answers Mr. Hennesen regarding looking at other sources of revenue. He stated they do look into this (school, roof, panels). Mr. Hennesen asked, pay off projects now? Mr. Milanowski explained to him, even though the library is paid off it makes debt free but then there is the new fire station. He states, residents in Carver don't have business (Sysco) taxes to offset taxes.

Mr. Milanowski said there will be follow up and more meetings. He thanks all for coming.

On a motion by Ms. Leighton, seconded by Mr. Abatiello, the meeting adjourned at 9:07 p.m.

### **Exhibits:**

Exhibit A: Agenda

**Carver Redevelopment Authority  
Meeting Minutes for March 21, 2016**

Call to Order: The Carver Redevelopment Authority met on March 21, 2016, at the Carver Town Hall, 108 Main Street, Carver, Massachusetts. The meeting was opened by Mr. William Sinclair at 7:01 p.m..

Members Present: William Sinclair, Chairman; Johanna Leighton, Treasurer; Charles Boulay; Brian Abatiello, Vice Chairman

Also Present: Marlene McCollem, Planning Director; Jacqueline Gingrich, Business Development Commission; Stephen Romano, Chairman of Business Development Commission; Christine Champ, Recording Secretary

**1. Continued discussion of Rt-44 North Carver Urban Renewal Plan**

**a. Concept plan**

Ms. McCollem supplied a copy of the concept plan to each of the members and went over each building audibly. She noted phase one is more defined than the previous plan.

Chairman Sinclair asked if this was how everyone anticipated the plan and the board members said it was. He asked if there was any further input and there was none. He asked the Redevelopment Authority if they were good with that plan and Mr. Abatiello, Mr. Boulay and Ms. Leighton said they were.

Chairman Sinclair asked the same of the Business Development Commission members who were present. Ms. Gingrich said it made sense. Mr. Romano and Ms. Gingrich said okay to the plan. Chairman Sinclair asked if there was anything from the property owners. Mr. McLaughlin said no and that he and Bob Delhome would answer any questions. He stated that Bob's company had cleaned up and they were happy with his work. He stated he was proud of the way it looked. He had been talking with the tenants. He stated, now, you can see that this is a big beautiful blank slate to build into a nice property. He said it was nice to drive in to the site.

Ms. Leighton asked about the road. Mr. Delhome stated it had been cleaned up. He said the work had been done in conformance with the special permit and it had come a long way. He said you would go 1/4 mile down Park Avenue to get to the property and the site is secured. Also, he said that folks could walk on to the property. The solid waste had been dumped on either side of Park Avenue and the owners had put up a fence. He stated, it looks good.

Chairman Sinclair asked, our conceptual plan, will it entice development? Do you see any type of hinderance or are they liking the ideas? Mr. McLaughlin said he liked the ideas and it complimented theirs. Mr. Delhome said, once you get activity, it spurs other economic activity

and these are the types of projects that the state level person, Mr. Ash, gets excited about. Chairman Sinclair asked if we were missing something. He wanted to compliment both areas. Mr. McLaughlin said, you hit it. He said it was a good plan. Ms. McCollem stated, it's about maintaining flexibility in the plan. Mr. Delhome thought it had inherent flexibility and he thought it is more important than shape, size and distribution, which this plan represents.

Chairman Sinclair requested to know what Maureen Hayes of Hayes and Hayes needed next. Ms. McCollem said Ms. Hayes needed to know what the property's impact would be, to what extent? Would it be 100% or a portion of? Ms. McCollem stated, once the maps and figures are developed and the economic study is done, we'll have a complete draft ready and done. She said Maureen Hayes is ready and now we can put together all the information she will put into the plan.

Chairman Sinclair inquired if it was fair to say that at any stage before the plan is submitted to the state that adjustments could be made? Ms. McCollem said yes. The votes are at local and state level.

Addressing Ms. Leighton, Mr. Sinclair asked if she had any concerns. She did not. He asked the same of Mr. Abatiello who said he was fine, no concerns. The other three board members said they were also fine with the plan. Ms. Leighton motioned to move forward with the March 15, 2015, conceptual plan. Mr. Abatiello seconded the motion. It was voted unanimously.

From the audience, a Mr. Savery Moore had a question. He asked, is there any plan for the state to make Route 44 into 4 lanes to Middleboro? Chairman Sinclair said there would be no widening or broadening. He also spoke to earlier, regarding the ramp. Chairman Sinclair said there was nothing that he was aware of. He then asked, were there any studies of traffic? Mr. McLaughlin said there was no formal traffic study. Mr. Delhome said VHB has looked at the traffic on 44 and 58. Chairman Sinclair thinks this is too soon and it may be something to be looked at further down the road. Mr. Savery asked if there was a tentative time table for phase 1. Chairman Sinclair replied that for urban renewal, we're working with Hayes and Hayes in the progression and he sees something in the fall on the conceptual plans. Ms. McCollem thinks this will happen way before the fall, for purposes of urban renewal plan.

Chairman Sinclair asks about public outreach and Ms. McCollem thinks it should be talked about. Chairman Sinclair said he thinks support from the Business Development Commission is essential and the sooner the better. He was speaking to the two members of the BDC present, Mr. Romano and Ms. Gingrich. Ms. McCollem, addressing the BDC, feels the actual plan is more important than the conceptual plan. Chairman Sinclair reiterates he thinks that it is important for public outreach. Ms. McCollem wants to keep having joint meetings.

#### b. Public outreach

Chairman Sinclair said, the sooner we start holding public outreach to get the facts out, the better

off we'll be. He stated, as we move forward, we need to get factual information out there. He mentioned people are calling him saying that he is stealing peoples' property.

Ms. Leighton mentioned community forums that were very good that Chairman Sinclair participated in. Again, Chairman Sinclair said outreach is important and public forums are important for getting out information.

Reminding Chairman Sinclair that Spring Street was hypothetical and this is not, Ms. McCollem said this is fairly defined and there is not a lot of room for change. Chairman Sinclair said his conceptual idea was that we would hold 5 or 6 informational seminars after we have maps and introduce it to the public. He felt the Villages were important. These have been held at the library in the past and it has been helpful for the public. He wants to be factual. Again, this is his thought process.

Ms. Leighton said she would like to hear a forum at the town hall because she does not like press. Ms. McCollem said she thought all was decided and that was why Hayes and Hayes was brought in. Chairman Sinclair does not want any detriment done to what has already been accomplished by Urban Development. Ms. McCollem did not want them to drift away from the original idea, as these were steps that Redevelopment had to take to achieve the urban renewal plan. Chairman Sinclair was talking about, per Ms. Gingrich, one presentation to 4 or 5 groups. The property owners directly affected must be informed. Chairman Sinclair felt a plan must be presented. Perhaps the Villages, North Carver and South Carver areas, at the library, he suggested.

Mr. Romano felt that some people believe Redevelopment will take homes from people. Ms. McCollem wanted to know how you were going to notify property owners. There was further discussion about reaching property owners. Ms. McCollem suggested inviting them to a meeting to talk to them about this. Chairman Sinclair wanted a presentation to the community. Ms. McCollem felt Maureen should do this. She said she thought Chairman Sinclair's role was to keep the project moving and that the other is Maureen's job.

Also, Ms. McCollem thought he needed to be careful because the plan is not developed yet. She felt he needed to keep the ability to let the process unfold, analyze the maps that are developed, et cetera. She was not trying to be difficult but did not want to mess this up. Ms. Gingrich said she thought we are all on the same page but just getting there in a different way.

Ms. Leighton inquired, the next thing Ms. McCollem wants is to inform about the plan and taking of the properties. And after that, Ms. McCollem is asking the concept to be available and that would be informational to the public? Ms. McCollem answers, yes.

Mr. McLaughlin said, regarding the selectmen, when it's this type of situation, there's a lot of misinformation out there. A good way is to have a public presentation. It gives the public two bites at the apple. They can ask questions of the board and them. All of the issues are on the table.



Ms. McCollem suggested to Ms. Leighton, an authority should talk to the property owners first. Ms. Leighton agreed. Chairman Sinclair said the next step would be for her to send a letter, to invite the public to the April 13th meeting. Ms. McCollem will have it ready prior to the meeting on April 13th, 2016, at 7:00 p.m. Ms. McCollem said she would draft up a letter. All members were fine with Ms. McCollem working with Chairman Sinclair on the language of the letter. Mr. Abatiello made a motion that the Chairman and the Director work on a letter and send it out to the landowners. Ms. Leighton seconded the motion. It was voted unanimously.

## 2. Financial report.

Ms. Leighton passed out the report representing January and February. The checking account had \$527.63; the savings had \$32,381.00, collected \$5.31 in interest. The loan paid of last year was \$0; urban renewal was \$33,329.90. \$6,675.00 went to Hayes Development Sys. The interest was \$1.82 on the plan.

## 3. Treasurer's Report

Ms. Leighton said there were two bills to be paid, secretarial and urban renewal. She said the Rockland Trust sent notice that the interest rate was 3.25 and would increase to 3.50%, if we take out another loan. She spoke to Valerie Donovan. She has not been able to talk to anyone at Rockland Trust as Mr. Vickery is no longer there. A letter was presented in 2015, maybe November. Chairman Sinclair will get a new contact person and tell Ms. Leighton. Ms. Leighton said Valerie would make herself available and Ms. Leighton would like it to be June. Mr. Abatiello made a motion to accept the Treasurer's Report as written. Mr. Boulay seconded the motion. It was voted unanimously.

## 4. Bills Payable: Hayes Development Services, Inc. Christine Champ

There was a bill for Hayes and Hayes. This is an ongoing urban renewal plan bill (\$4,650.00), for draft number 1, et cetera. Chairman Sinclair read the description of the bill; working draft number 2, (31 hours at \$150) at \$4,650.00, coming out of urban renewal budget. Mr. Abatiello made a motion to pay the bill. Mr. Boulay seconded the motion. The motion was passed unanimously to pay the bill.

Mr. Abatiello made a motion to transfer \$4,650.00 from the Urban Renewal Plan account to checking. Mr. Boulay seconded the motion. The motion was passed unanimously.

Mr. Abatiello made a motion to pay secretary bill of \$75. Mr. Boulay and Ms. Leighton seconded the motion. The motion was passed unanimously to pay the bill.

## 5. Minutes: January 4 & February 1, 2016

Ms. Leighton moved to accept the January 4, 2016, minutes as written. Mr. Boulay seconded the motion. The motion was passed unanimously.

Mr. Abatiello abstained from voting.

Ms. Leighton would like to put her statement in with her numbers.

Mr. Boulay moved to accept the February 1, 2016, minutes as written. Ms. Leighton seconded the motion. The motion was passed unanimously.

## **6. Public Comments**

None.

## **7. Member Comments**

The board was pleased to see people in the audience from the master plan. Also, looking for Andy Cardarelli.

From the audience, Mr. James Nauen suggested name tags for board members.

From the audience, Domingo Fernandes asked how many property owners. Ms. McCollem thinks 7 but she said there are 27 pieces.

8. Next meeting: Wednesday, April 13 at 7:00 p.m.

On a motion by Mr. Boulay, seconded by Ms. Leighton, the meeting adjourned at 8:13 p.m.

## **Exhibits:**

Exhibit A: Agenda

Exhibit B: Minutes of March 21, 2016

Exhibit C: Treasurer's Report - January through February, 2016

APPROVED  
3.21.16

**Carver Redevelopment Authority  
Meeting Minutes for February 1, 2016**

Call to Order: Chairman Sinclair called the meeting to order at 7:01 p.m in Room No. 1 of the Town Hall.

Members Present: William Sinclair, Chairman; Johanna Leighton, Treasurer; Charles Boulay; Brian Abatiello, Vice Chairman

Also Present: Marlene McCollem, Planning Director; Jacqueline Gingrich, Business Development Commission; Stephen Romano, Chairman of Business Development Commission; Robert Woolson, Business Development Commission; Christine Champ, Recording Secretary

Before business matters discussed, board members introduce themselves for the record.

**1. Continued discussion of Rt-44 North Carver Urban Renewal Plan**

Chairman Sinclair is happy both boards are present here.

**A. Concept plan**

Chairman Sinclair (referring to presentation map) goes over plan on screen, being potential urban renewal area parcels.

For the benefit of the Business Development Commission members, Ms. McCollem goes over the last meeting discussion.

Marlene suggests the impetus is the Whitmore property owners approaching town with ideas on redevelopment. Their concept would be warehouse and distribution space. On the map, the blue outlined space is for their purposes. Marlene proposes, maybe commercial area could stay in commercial use with possible later development as this would be ideal.

Maureen Hayes has been hired and has been working with Ms. McCollem. She is in full agreement that those parcels should be treated differently. Maureen suggests a 20-year life for the property. So, she recommends to keep in plan boundary.

Also, Ms. McCollem is having new graphics made up for the board. In the concept plan, she's asked the designers for 450,000 square feet of R & D and light manufacturing. She suggests putting it out there for encouraging uses and putting in master plan.

She also suggests adding commercial office space, maybe 25,000 square feet. Also, the lower, southern piece, because of driving public on Route 44, maybe consider possibility of a smaller hotel, 80 to 100 rooms. Maybe if warehouse park is successful, they will have employees who

need a place to stay. Also, consider 15,000 square feet of mixed space (restaurant, retail, service use to support hotel and employees).

Chairman Sinclair remembers at the last meeting the CBC wanted to take those parcels out and he's glad Maureen and Marlene have been discussing same. Ms. Gingrich wonders, this doesn't mean we would be forced to sell? Chairman Sinclair informs her, no. This is not the board's intent. It is to give them the option to redevelop.

Marlene relates, per her discussions with Maureen, nothing outside of blue outline is to be acquired. It is not necessary. Ms. Leighton asks about bogs staying natural, as the other bog has been skirted out (Melville bogs). It is noted, there is no intention of the skirted out to be acquired. North bogs may possibly be used in planning.

Ms. Gingrich inquires about the number of houses clustered in blue. Marlene suggests five in total. There is further discussion regarding same.

Ms. Leighton asks if these are working bogs and Chairman Sinclair says they are.

Chairman Sinclair wants to get more concepts from BDC on conceptual ideas.

Mr. Romano questions, are there restrictions on green? Chairman Sinclair says, no. There is further discussion on owners' intentions, which they will tell board. Mr. Romano suggests maybe some Melville be excluded and some included and Mr. Sinclair agrees.

Ms. Gingrich says she is more comfortable with this than last month. Chairman Sinclair says he is happy and that he felt the same. She thinks this is a good plan and it will redevelop on its own as time goes on. She also says, it is a good idea to not acquire property, let it sit. Mr. Boulay suggests it will draw in others who may be interested. Mr. Woolson suggests, once you start, it will balloon into something. He agrees a hotel would work.

Chairman Sinclair looks to get all to give feelings about same. Mr. Abatiello says he likes the way it looks. He wonders, is there still access from Montello Street? Where is it accessed from? Chairman Sinclair demonstrates on map how things and road may be structured. Mr. Abatiello suggests he thinks it's a good plan and doesn't see anything wrong with the direction it's going in.

Mr. Sinclair inquires, any thoughts on R & D (50,000 square feet) and Waterstone (25,000 square feet of office space)? Mr. Abatiello thinks retail and restaurants are good. He mentions, towns around are doing more, people could spend money when passing through town. Ms. Leighton suggests, people can't compete with big box stores in other towns.

Mr. Romano, looking at last plan, asks, did it change? Chairman Sinclair says, no. Mr. Romano is concerned about sprinklers, et cetera. Mr. Romano thinks the bylaw is written that we don't



allow big box. Someone will check on that.

Ms. McCollem suggests, the plan will be revised and when she gets other pieces, (hotel, R & D, et cetera) she'll update and everyone can see changes.

Chairman Sinclair, wants a vote, after hearing from BDC members. He wants to move forward on conceptual plans, most particularly, 50,000 square feet, R & D, in urban renewal area and Waterstone parcel for additional 25,000 square feet for office space, 80-100 room hotel, 15,000 square feet of mixed use retail/restaurant area.

Mr. Abatiello, so moved.

Ms. Leighton and Mr. Boulay seconded the motion.

The motion was passed unanimously.

Chairman Sinclair asks for any other comments.

Mr. Romano warrants a vote after the changes have been made. He wants to see plan after changes. Mr. Woolson speaks to Mr. Sinclair regarding changing access road to different spot. There is further discussion regarding access road. Mr. Woolson suggests, a second entrance, perhaps?

#### B. Public outreach

Ms. McCollem inquires how is it intended to convey public outreach to affected persons?

Chairman Sinclair wants to do a public invite to property to let public know where we are going. There is further discussion of same. Ms. McCollem suggests the Redevelopment Authority has power if plan is approved to acquire property, private owners do not. This power resides with governmental authority. She says, the State has to approve the plan for redevelopment. Ms. Leighton suggests this could be years. Marlene agrees, absolutely.

Mr. Romano says, you need to get them here before presented to State. He thinks you'll need to get people in to see how they feel about this (property owners.). Chairman Sinclair says, they must be involved from the get go, affected property owners. In his opinion, he thinks after the next meeting between the boards, Ms. McCollem will have a better grasp of this and she agrees. She suggests, shortly after the March meeting, you should start speaking with people about.

Mr. Romano wonders, why can't you use Cole Road as a second access? Chairman Sinclair says his understanding is, engineers should deal with that.

Ms. Gingrich moves to adjourn.

Mr. Boulay seconds the motion.

The motion is passed unanimously.

Some members of BDC depart.

## **2. Bills Payable (if any)**

Chairman Sinclair made a motion to approve payment from Urban Renewal Account of \$6675.00 to Maureen Hayes (1/8/2016 invoice - 44.5 hours @ \$150/hour) for services rendered. Ms. Leighton seconded the motion. The motion was passed unanimously.

Chairman Sinclair made a motion for payment to Christine Champ (3 hours @ \$25/hour). Chairman Sinclair, requesting, any issues? Should it be automatic or done the same way, placing a vote?  
Mr. Abatiello made a motion to repeat, automatic payment for secretary of \$75. Ms. Leighton seconded the motion. The motion was passed unanimously.

## **3. Public Comments.**

None.

## **4. Member comments**

Mr. Boulay, none. Mr. Abatiello, none. Ms. Leighton passed out Treasurer's report. She notes, last page comments, Redevelopment Authority account, \$29.71 year-to-date interest, and Urban Renewal account gathered \$3.06 interest. She wants clarification on bank procedures. This is agreed by Ms. McCollem and Chairman Sinclair. This completes the year. On interest we receive, we don't file. She wants it recorded in correct fashion.

## **5. Next Meeting**

Mr. Abatiello inquires about a set schedule. There is further discussion about starting at 7:00 p.m., later on, which accommodates the BDC. Mr. Abatiello suggests every 2nd Monday of every month. Ms. McCollem suggests the 1st Monday of every month. She will give notice if she cannot attend all Mondays.

Mr. Abatiello made a motion for March 14 at 7:00 p.m.  
Ms. Leighton and Mr. Boulay seconded the motion.  
The motion passes unanimously.

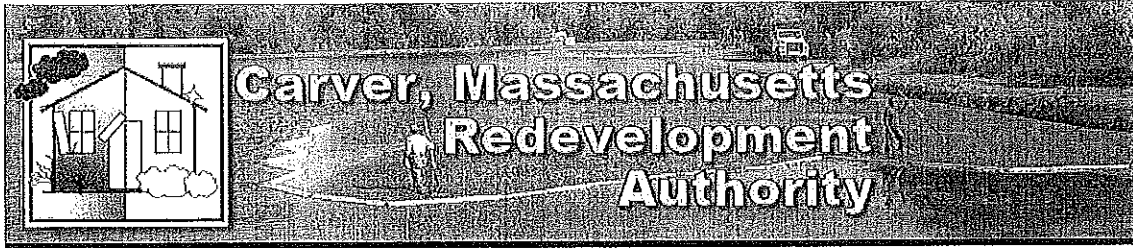
On a motion by Chairman Sinclair, seconded by Mr. Boulay and Ms. Leighton, the meeting adjourned at 8:03 p.m.

**Exhibits:**

Exhibit A: Agenda

Exhibit B: Minutes of January 4, 2016

Exhibit C: Treasurer's Report



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**JOINT MEETING OF THE:**  
**CARVER REDEVELOPMENT AUTHORITY**  
**AND**  
**BUSINESS DEVELOPMENT COMMISSION**

**Monday, February 1, 2016**  
**7:00 pm**  
**Carver Town Hall Room #1**

**AGENDA**

1. Continued Discussion of Rt-44 North Carver Urban Renewal Plan
  - a. Concept plan
  - b. Public outreach
2. Bills Payable
3. Public Comments
4. Member Comments
5. Next Meeting: Monday, March 14 at 7 PM





**Treasurer's Report - January thru December 2015**

Post Date	Check Number	Description	Checking Account	Savings Account	Principal Loan Account	Interest Loan Account	Carver Urban Renewal Plan Account
Balance 12/31/2014			\$ 732.63	\$ 30,946.77	\$ 4,072.10	\$ 13.79	
1/20/2015	1188	Michele Doll - Minutes/Secretary Advance Line of Credit 3919500	(50.00)				
1/23/2015		Principal Payment		(1,000.00)	(988.60)		
1/23/2015		Advance Line of Credit 3919500					
1/23/2015		Interest Payment				11.40	
1/30/2015		Interest on MM		2.60			
Balance 1/31/2015			\$ 682.63	\$ 29,949.37	\$ 3,083.50	\$ 25.19	
2/23/2015		Advance Line of Credit 3919500					
2/23/2015		Principal Payment		(1,000.00)	(991.37)		
2/23/2015		Advance Line of Credit 3919500					
2/28/2015		Interest Payment				8.63	
2/28/2015		Interest on MM		2.28			
Balance 2/28/2015			\$ 682.63	\$ 28,951.65	\$ 2,092.13	\$ 33.82	
3/4/2015	1189	Michele Doll - Minutes/Secretary	(50.00)				
3/23/2015	1190	Valerie Donovan - Professional Svc	(180.00)				
3/23/2015	1191	Michele Doll - Minutes/Secretary Advance Line of Credit 3919500	(50.00)				
3/23/2015		Principal Payment		(1,000.00)	(994.71)		
3/23/2015		Advance Line of Credit 3919500					
3/23/2015		Interest Payment				5.29	
3/31/2015		Interest on MM		2.43			
Balance 3/31/2015			\$ 402.63	\$ 27,954.08	\$ 1,097.42	\$ 33.82	
4/23/2015		Advance Line of Credit 3919500					
4/23/2015		Principal Payment		(1,000.00)	(996.93)		
4/23/2015		Advance Line of Credit 3919500					
4/30/2015		Interest Payment				3.07	
4/30/2015		Interest on MM		2.28			



**Treasurer's Report - January thru December 2015**

<u>Post Date</u>	<u>Check Number</u>	<u>Description</u>	<u>Checking Account</u>	<u>Savings Account</u>	<u>Principal Loan Account</u>	<u>Interest Loan Account</u>	<u>Carver Urban Renewal Plan Account</u>
4/30/2015	1192	Michele Doll - Minutes/Secretary	(50.00)				
<b>Balance 4/30/2015</b>			<b>\$ 352.63</b>	<b>\$ 26,956.36</b>	<b>\$ 100.49</b>	<b>\$ 36.89</b>	
5/26/2015		Advance Line of Credit 3919500					
		Principal Payment		(1,000.00)	(100.49)		
5/26/2015		Advance Line of Credit 3919500					
		Interest Payment				0.30	
5/27/2015		Overpaid Line of Credit 3919500		899.21			
5/29/2015		Interest on MM		2.29			
<b>Balance 5/31/2015</b>			<b>\$ 352.63</b>	<b>\$ 26,857.86</b>	<b>\$ 0.00</b>	<b>\$ 37.19</b>	
6/4/2015	1193	Michele Doll - Minutes/Secretary	(50.00)				
6/30/2015		Interest on MM		2.21			
<b>Balance 6/30/2015</b>			<b>\$ 302.63</b>	<b>\$ 26,860.07</b>			
7/22/2015	1194	Michele Doll - Minutes/Secretary	(50.00)				
7/31/2015		Interest on MM		2.28			
<b>Balance 7/31/2015</b>			<b>\$ 252.63</b>	<b>\$ 26,862.35</b>			
8/18/2015		Master Plan - Carver Business		3,000.00			
8/27/2015	1195	Michele Doll - Minutes/Secretary	(50.00)				
8/31/2015		Interest on MM		2.40			
<b>Balance 8/31/2015</b>			<b>\$ 202.63</b>	<b>\$ 29,864.75</b>			
9/23/2015		Open Acct - 4100242546					0.02
		Town Reimburse - E.J. Collins Ctr					
9/23/2015		for Public Mgmt Study		5,000.00			
9/29/2015		Rte 44 Development, LLC					40,000.00
9/30/2015		Interest on CURplan					0.03
9/30/2015		Interest on MM		2.56			
<b>Balance 9/30/2015</b>			<b>\$ 202.63</b>	<b>\$ 34,867.31</b>			<b>\$ 40,000.05</b>



Treasurer's Report - January thru December 2015

Post Date	Check Number	Description	Checking Account	Savings Account	Principal Loan Account	Interest Loan Account	Carver Urban Renewal Plan Account
10/30/2015		Interest on CURplan					1.02
10/30/2015		Interest on MM		2.96			
Balance 10/31/2015			\$ 202.63	\$ 34,870.27		\$	40,001.07
11/3/2015		Deposit from MM	2,500.00				
11/3/2015		MM transfer to Checking		(2,500.00)			
11/12/2015	1196	Morse Engr'g 94 Forest St					
11/30/2015		Interest on MM	(2,100.00)				
11/30/2015		Interest on CURplan		2.67			0.99
Balance 11/30/2015			\$ 602.63	\$ 32,372.94		\$	40,002.06
12/31/2015		Interest on MM		2.75			
12/31/2015		Interest on CURplan					1.02
Balance 12/31/2015			\$ 602.63	\$ 32,375.69		\$	40,003.08
							Carver Urban Renewal Plan Account
							Interest PD YTD
							\$ 29.71
							Interest PD YTD
							\$ 3.06

APPROVED  
3.21.16

**Carver Redevelopment Authority  
Meeting Minutes for January 4, 2016**

Call to Order: Chairman Sinclair called the meeting to order at 5:41 p.m.

Members Present: William Sinclair, Chair; Johanna Leighton; and Charles Boulay

Absent: Brian Abatiello

Also Present: Jeffrey M. Hassett, P.E., representing Morse Engineering Co., Inc.; Marlene McCollem, Planning Director; and Jacqueline Gingrich, BDC

**1. Presentation of conceptual plan for 94 Forest Street by Morse Engineering, Inc.**

Jeffrey Hassett, P.E., Project Manager, of Morse Engineering, Inc., goes over conceptual plan for 94 Forest Street, including plans and survey, answering questions about frontage, space usage, parking. Explains plans and survey further, touching briefly on water limits.

Discussion continues touching on possibility of restaurant. Mr. Hassett suggests, probably not, as accommodations would be for only 25 people. Thinking more retail and maybe two stories. There is further discussion regarding types of business that fit. Mr. Hassett suggests you can accept local tradesmen or craftsmen. Mr. Hassett notes all special permits are listed on plan. Short discussion regarding same.

Ms. McCollem refers to Marion Drive and comparisons. She suggests, the RFP, if you want to do that RFP, will result in final analysis. Chairman Sinclair's thoughts are, do we go for an RFP for restrictions? Do we solicit to realtor?

There is further discussion of map and location between Ms. Leighton, Ms. McCollem and Chairman Sinclair. Ms. McCollem says they are not yet at a marketing standpoint and they don't have to decide tonight.

Mr. Hassett describes what his company does for a customer thinking about purchasing a parcel.

Ms. Gingrich asks if someone would buy, is there a cost to tie into the water system? Chairman Sinclair replies with a figure for a close, local similar situation. There is discussion between Ms. McCollem and Chairman Sinclair regarding water diameter for fire department, from 8 to 12, in the area around Route 58. Ms. McCollem is concerned about existing, without increasing capacity up? Mr. Hassett says Norfolk Power was fine for drinking (has sistrn and own well) but not for fire department pressure. There is then a short discussion about Frosty Dog and water needs vs. Santoros' water needs.

Chairman Sinclair suggests, maybe next meeting we can decide for spring. Chairman Sinclair and Ms. McCollem thank Mr. Hassett for his work. Mr. Hassett concludes and leaves at 6:10.



## 2. Continued Discussion of Rt-44 North Carver Urban Renewal Plan

Ms. McCollem updates, to bring Ms. Gingrich, BDC member, up to date. Ms. McCollem explains to Ms. Gingrich with map about McLaughlin and Delhome property. Needs water, road improvements, sewer treatment (private), storm water management, et cetera. For this committee's purpose, she suggests, guide the development over the long term, 20 years. There is further discussion regarding planning. Ms. McCollem suggests, lay out master plan, so to speak.

The characteristics of the property are discussed. Open, blighted, et cetera. Ms. McCollem questions, what is vision out by Route 58? What would be good uses to have in the area, if warehouses? She addresses committee and Ms. Gingrich. Ms. McCollem asks, even though it's not in matrix now, why is it so important? What would be good neighbors?

Further discussion regarding boundary owners, phase 1 and 2, overriding public purpose to have in the plan, reasons why that is in plan boundary. Further discussion continues regarding industrial use, business park, better alternative manufacturing, solar, et cetera. Alternatives.

Ms. Gingrich suggests, you need a good reason to take it away from the current owners and there doesn't seem to be one (to have redevelopment plan.) Also, if this is redeveloped, it will reinvent itself on it's own.

More discussion about "in the boundary" between Ms. McCollem and Chairman Sinclair. Ms. McCollem suggests to let it rest and revisit later. She does not hear that something great needs to be done here.

Further discussion by Chairman Sinclair regarding trying to entice retail development for years in this area. That's why water was brought. Chairman Sinclair foresees what he believes will be future of property and Ms. McCollem feels that in ten years the town can revisit. Chairman Sinclair feels he has to better define his urban renewal on this property.

Sinclair then says he can isolate access. But vacant parcel behind Silo Marketplace, he would rather see retail expand there. Like in Norwell (Home Depot, 99 Restaurant, commercial in back). Chairman Sinclair wants to digest this and thinks board members should do the same. BDC member Ms. Gingrich is here and Chairman Sinclair is glad she is here as they need the BDC's input.

Ms. Leighton suggests BDC and Redevelopment should meet together on this subject. Jacqueline Gingrich suggests BDC meets before next Redevelopment meeting. Ms. McCollem suggests February 1st meeting should be at 7 p.m. She needs clear direction on the plan. Suggests RA meet in Room 1, joining meeting with BDC. Should be an answer then about what is in and what is out on plan. The corner and Waterstone need to be decided in February 1st meeting. Ms. McCollem suggests, do think about this for that meeting on Feb. 1st.

### **3. Treasurer's Report**

Ms. Leighton suggests, same as presented before. Increase - 3.25 to 3.50 interest from Rockland Trust Company. She spoke with Valerie regarding line of credit. Valerie would be willing to come in, in March, with all her numbers and make that presentation. Per Ms. Leighton, Valerie suggests, do 90 days before, have until September. It is decided to have Valerie in for March.

### **4. Bills Payable (if any)**

None.

### **5. Public Comments**

No public in attendance.

### **6. Member comments**

None.

### **7. Next Meeting**

Monday, February 1, 2016.

On a motion of Chairman Sinclair, seconded by Ms. Leighton and Mr. Boulay, the meeting adjourned at 7:04 p.m.

### **Exhibits:**

Exhibit A: Agenda



108 Main St, Carver, MA 23330

**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**CARVER REDEVELOPMENT AUTHORITY**  
**Monday, January 4, 2016**  
**5:30 pm**  
**Carver Town Hall Room #3**

**AGENDA**

1. Presentation of conceptual plan for 94 Forest Street by Morse Engineering, Inc.
2. Continued Discussion of Rt-44 North Carver Urban Renewal Plan
3. Treasurer's Reports - Discussion and possible vote
4. Bills Payable (if any)
5. Public Comments
6. Member Comments
7. Next Meeting: Monday, February 1, 2016?

**Carver Redevelopment Authority  
Meeting Minutes for October 28, 2015**

**Members Present:** William Sinclair, Chair; Johanna Leighton; Brian Abatiello; and Charles Boulay

**Others Present:** George McLaughlin and Robert Delhome of Rt-44 Development, LLC; Michael Milanoski, Town Administrator, and Marlene McCollem, Planning Director.

At 6:00 PM, Chairman Sinclair opened the October 28, 2015 meeting of the Carver Redevelopment Authority.

**Discussion of Rt-44 Development and proposed Urban Renewal Plan:** Mr. McLaughlin and Mr. Delhome introduced a concept plan for a distribution and warehouse facility on the property they own north of Rt-44 and west of Rt-58. Rt-44 Development has been speaking with potential tenants for a regional warehouse facility and there appears to be interest in the marketplace for a Carver location.

The purpose of the Urban Renewal Plan will be to ensure that adequate access and acreage will be available to accommodate the level of anticipated improvements. The designers are exploring the possibility of incorporating the existing bogs into the landscape of the proposal. The proposed use will take advantage of the public water system. The minimum number of properties necessary for site control are shown inside of the blue line on the attached plans. The developers are looking for a long-term, permanent tenant and have relied heavily on the 2008 Economic Development Plan. The project will incorporate thoughtful elements of design to account for green space, wetland habitat, lighting, and aesthetics. The proposal is anticipated to add approximately \$1.75 million to the tax base. Mr. Delhome expressed interest in having the 2008 study updated to include a new financial analysis and employment figures.

The CRA asked about the possibility of including the properties currently in retail use to the project. Mr. McLaughlin responded that the value of the additional properties may not be worth the challenges.

Chairman Sinclair asked that the vision be broadened to include additional properties, possible across the street (Rt-58) as well.

Mr. Delhome explained that the area outlined in blue is the minimum necessary and represents a modest proposal to start the discussion.

It's difficult to talk about access and road improvements in detail until there's some understanding about scope of the project.

Water is adequate.

Power is adequate, but solar is anticipated—both roof & ground mounted.

Storm water will be managed onsite, possibly with constructed wetlands.

There are no plans to use the portion of the property that extends into Plympton. Rt-44 Development has not had any conversations with the abutters/neighborhood. They want to make sure that the CRA & Town is comfortable with the proposal before proceeding.

The design will provide a buffer along the Plympton town line to the extent possible.

Montello Street will need to be completely redesigned and portions will need to be relocated to accommodate the residential and truck traffic.

Wastewater will be treated onsite and the system will be sized for future growth.

The Authority discussed that eminent domain takings may be necessary for access and land assembly.

The shapes and sizes of the buildings, and the parking layouts are generally to scale and will be required by potential tenants.

At this point there are no proposed improvements for the ramps at the Rt-44 interchange.

The Authority and Rt-44 Development discussed the logistics of sharing files and data. Rt-44 Development will direct VHB to prepare the necessary concept maps. Everything will be delivered to Marlene. She will ensure that Maureen Hayes receives a copy, and will keep the records.

The Authority discussed the boundary of the Urban Renewal Plan.

Ms. Leighton made a motion that the boundary of the Urban Renewal Plan area be: the Plympton Town Line, the Middleboro Town Line, the centerline of Rt-58, and the layout line of Rt-44. Mr. Abatiello seconded the motion. The motion was passed unanimously.

Ms. Leighton made a motion that the properties shown inside the blue line on the attached map be listed as “to be acquired.” Mr. Abatiello seconded the motion. The motion was passed unanimously.

Ms. Leighton made a motion to name the plan as the “Route-44 North Carver Urban Renewal Plan.” Mr. Boulay seconded the motion. The motion was passed unanimously.

Mr. Abatiello made a motion to adopt the attached “key discuss points” dated October 26, 2015 as a draft mission statement for the Urban Renewal Plan. Mr. Boulay seconded the motion. The motion was passed unanimously. The goals of the Redevelopment Authority include: maximum economic development potential and job creation, increased tax base, reclaiming a blighted area, and keeping the proposal consistent with the 2008 economic development study, zoning, and the master plan.

Mr. Abatiello made a motion to direct Marlene and Mr. Milanoski to contact FXM to update the 2008 study with current data. Mr. Boulay seconded the motion. The motion was passed unanimously.

**Minutes:** Ms. Leighton made a motion to approve the September 21, 2015 minutes as written. Mr. Boulay seconded the motion. The motion was passed unanimously, with Mr. Abatiello abstaining.

**Treasurer’s Report:** Motion by Mr. Boulay to accept the attached Treasurer’s Report. Mr. Abatiello seconded the motion. The motion was passed unanimously.

**SRPEDD contract for Master Plan:** Chairman Sinclair informed the Authority that the BDC will not be able to contribute \$3,000 to the Master Plan due to budget cuts for FY 16.

**Bills Payable:** Ms. Leighton made a motion to approve payment of \$2,100 to Morse Engineering for engineering services for 94 Forest St. Mr. Abatiello seconded the motion. The motion was passed unanimously.

Mr. Abatiello made a motion to transfer \$2500 from the savings account to the checking account. Mr. Boulay seconded the motion. The motion was passed unanimously.



**Update for 94 Forest Street:** The Authority reviewed the plans that were submitted by Morse Engineering. Marlene will schedule a presentation by Mr. Morse for a future meeting.

**Next Meeting:** Mr. Boulay made a motion to set the next meeting will be Wednesday, November 18, 2015 at 5 PM. The agenda will be devoted to discussing the Urban Renewal Plan with Maureen Hayes. Ms. Leighton seconded the motion. The motion was passed unanimously.

On a motion of Mr. Boulay, seconded by Ms. Leighton, the meeting adjourned at 8:33 PM

**Exhibits:**

Exhibit A: Agenda

Exhibit B (5 sheets): documents provided by Rt-44 Development

Exhibit C: Minutes of September 21, 2015

Exhibit D: Treasurer's Report

## **Carver Redevelopment Authority Meeting Sign-in Sheets**

# REDEVELOPMENT AUTHORITY

12.19.16

Jim Cole

Bruce Tischer

Kristen Kirkland

Paisley Kirkland

John M Bonasera

Heather Madden

GORDON MASSINGHAM

Christie Day

CRA 11.21.16

NAME	ADDRESS	EMAIL
Kirkland	20 Montello St. Plympton	kirkland27@aol.com
<del>Wendy</del>	<del>73 Montello St. Plympton</del>	
Cort	5 Holmes Ave Carver	Kent82115@aol.com
Winslow	28 Heathers Path Plympton	JMD1678@AOL.ca
Bruce & Karen Tuscher	10 Montello Carver	
Kevin M. Sullivan	138 High St	Camboy Kevin5@Hotmail.com
John M. Bonasera	19 Marks Way	
Benjamin Dexter	149 High St.	benjamin.e.dexter@gmail.com
Frank C. Stack	20 Cedar dr.	FStack66@gmail.com
Phil Shannon	7 Bow St	shannon66@yahoo.com
Jon Williamson	255 Main St Plympton E	plymptonhouse@mac.com
<del>James H. Hobbins</del>	<del>6 South Main St</del>	<del>James.H.Hobbins@Hotmail.com</del>
	149 Plymouth St	Carver @ Hotmail.com
Rick Jackson	4 Heathers Path Plympton	
Hici Coe	20 High St	
Lu Chi	High St	

CRA - June 6, 2016

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>
Alice Cole	20 High St.	acole4481@comcast.net
Kristen Kirkland	20 Montello St	KirkKris27@aol.com
Paisley Kirkland	20 Montello St	
Lestie Nunes	2 High St	
LORRAINE MARTIN	4 HIGH ST	
Bruce & Karen Tuscher	10 Montello St	
Michael & Sharon Tassinari	12 Montello St	
Maureen & Dennis Callahan	10 Heathers Path Plympton	
Kathleen Cohen	20 Heathers Path Plympton	
Dan & Claire	45 Purchase St	
LINDA GRAY	15 B. MAIN ST CARVER	
Guy Fletcher	25 Oak Drive Carver	
Adam Brunell	9 Maple Dr Carver	
Kim Russell	7 Maple Dr Carver	
Sharon Smith	2 Cedar Dr Carver	
Rick Jackson	4 Heathers Path Plympton	
Lisa Mattioli	11 Heathers Path Plympton	
Jeanne Winslow	28 Heathers Path Plympton	
Melissa Singleray	4 Heathers Path Plympton	
GORDON NASSIGHAM	24 MONTELLO ST. - Plympton	
Amy Hamer	43 Wenham Rd Carver	
Matthew Hamer	43 Wenham Rd Carver	
Jon Wilkerson	255 MAIN STREET PLYMPTON	
BRIAN NUTE	4 Pine City Rd Carver	
Bob DeHone	Boston, MA	
Greg Overly	Boston MA	
Michael Milam	Conover Town Adams MA	
John W. Dunham	B.O.S.	



Michael Nash 158 W. Corver  
Leak Nash 157 No Main St. Corver

5.23.16

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>
MICHAEL TASSINARI	12 MONTELLO	MR MIKETA55@Icloud.com
Bruce Kugel Tuschen	16 Montello St	
Rick Jackson	4 Heathers Path	rickjackson061@gmail.com
Kathleen Cohan	20 Heathers Path	KCohan19@yahoo.com
Mawreen Callahan	10 Heathers Path	mcall0704@aol.com
DAN MEURIN	44 WAREHAM ST	DMEURIN77@GMAIL.COM
NICOLE KEENAN	" "	
Jecenne Winslow	28 Heathers Path Plympton	JMD1670@gmail.com

"URBAN RENEWAL AREA"  
EMAIL GROUP

CUA MEETING 4.13.16  
RE: WRP

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>
David Borofski	57 River St Plymouth	02360 pipeline@em pipeline-enterprises@ hotmail.com
Lisa & John Allen	28 Montello St Carver, MA	
Michael & Sharon Tassinari	12 Montello St Carver, MA	sharontass@gmail.com memiketass@icloud.com
Virginia Thomas	104 Plympton St. Middleboro	508-947-1707 508-858-0867
Bruce & Karen Tuscher	10 Montello St Carver	karbrumer@aol.com
Robert Keniston	9 Center Street Carver MA	robertbkeniston@gmail.com
Matthew Keniston	9 Center Street Carver MA	mkeniston@student.bridgew.edu
Joseph Davis	46-4 South Meadow Village	jdavis@aol.com
Nancy & Gordon Massingham	24 Montello St.	<del>gordon@</del> gordmassingham@gmail.com
Cornelius Shea	148 Plymouth St	C.Shea111@yahoo.com
RAFAEL MORENO	15 HEATHERS PATH, PLYMPTON	ELAFITO@HOTMAIL.COM
JIM COLE	5 COMMERCIAL DR. UNIT 1-12 LAKEVILLE MA 02347	
Alice Cole	P.O. Box 269 North Carver	acole4481@comcast.net
Laurent Dennis Callahan	10 Heathers Path Plympton, MA	mcall0704@aol.com
Kathleen Cohen	20 Heathers Path Plympton, MA	KCohen19@yahoo.com
Robert Butler	40 Lakeview Blvd Plymouth MA 02360	
Richard Lane	26 Montello St Carver MA	robertbutler40@comcast.net
John WICHEMSEN	255 MAIN STREET PLYMPTON MA 02367	
Brian Maffioli	11 Heathers Path Plympton	
Lisa Maffioli	11 Heathers Path Plympton	
Bob Gorham	23 Heathers Path Plympton	
Donna Gorham	23 Heathers Path Plympton	
Alec Rich	2 MONTELLO ST, CARVER	alecrich3@comcast.net

NAME	ADDRESS	EMAIL
REV. BARRY HANSON	307 TREMONT ST CARVER	BARRY@CROSSROADSCARVER.COM
Melissa Singletary	4 Heathers Path Plympton	mcantiny13@gmail.com
Rick Jackson	~ "	rickjackson001@gmail.com
Lorna Rankin	251 Main St, Plympton	lrankin@gmail.com
Eileen Roussos	13 Crystal Lake Dr Carver	eileenmarroussos@gmail.com
Jeanne Winslow	28 Heathers Path Plympton	Jwinslow4@gmail.com
Richard Winslow	28 Heathers Path Plympton	partners.org

## **Carver Redevelopment Authority Correspondence**



## McCollem, Marlene

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**From:** Karen Tuscher <karbrumer@aol.com>  
**Sent:** Friday, December 16, 2016 1:16 PM  
**To:** McCollem, Marlene  
**Subject:** Re: Draft URP for Carver Redevelopment Authority

Marlene you know that our property does not need to be touched. The land developer said it himself at the 11/21 meeting.

Sincerely,  
Bruce and Karen Tuscher

Sent from my iPhone

On Dec 16, 2016, at 11:58 AM, McCollem, Marlene <[marlene.mccollem@carverma.org](mailto:marlene.mccollem@carverma.org)> wrote:

Hello Everyone,

It is anticipated that the CRA will have a final draft for Monday's meeting. The almost final version can be found below:

[http://www.carverma.gov/sites/carverma/files/uploads/north\\_carver\\_draft\\_urp\\_12152016\\_0.pdf](http://www.carverma.gov/sites/carverma/files/uploads/north_carver_draft_urp_12152016_0.pdf)

The maps have been incorporated into the document, so I have taken down the individual files.

I will be following up this weekend with the appendix files.

Please let me know if you have any questions.

Thank you,

Marlene

## McCollem, Marlene

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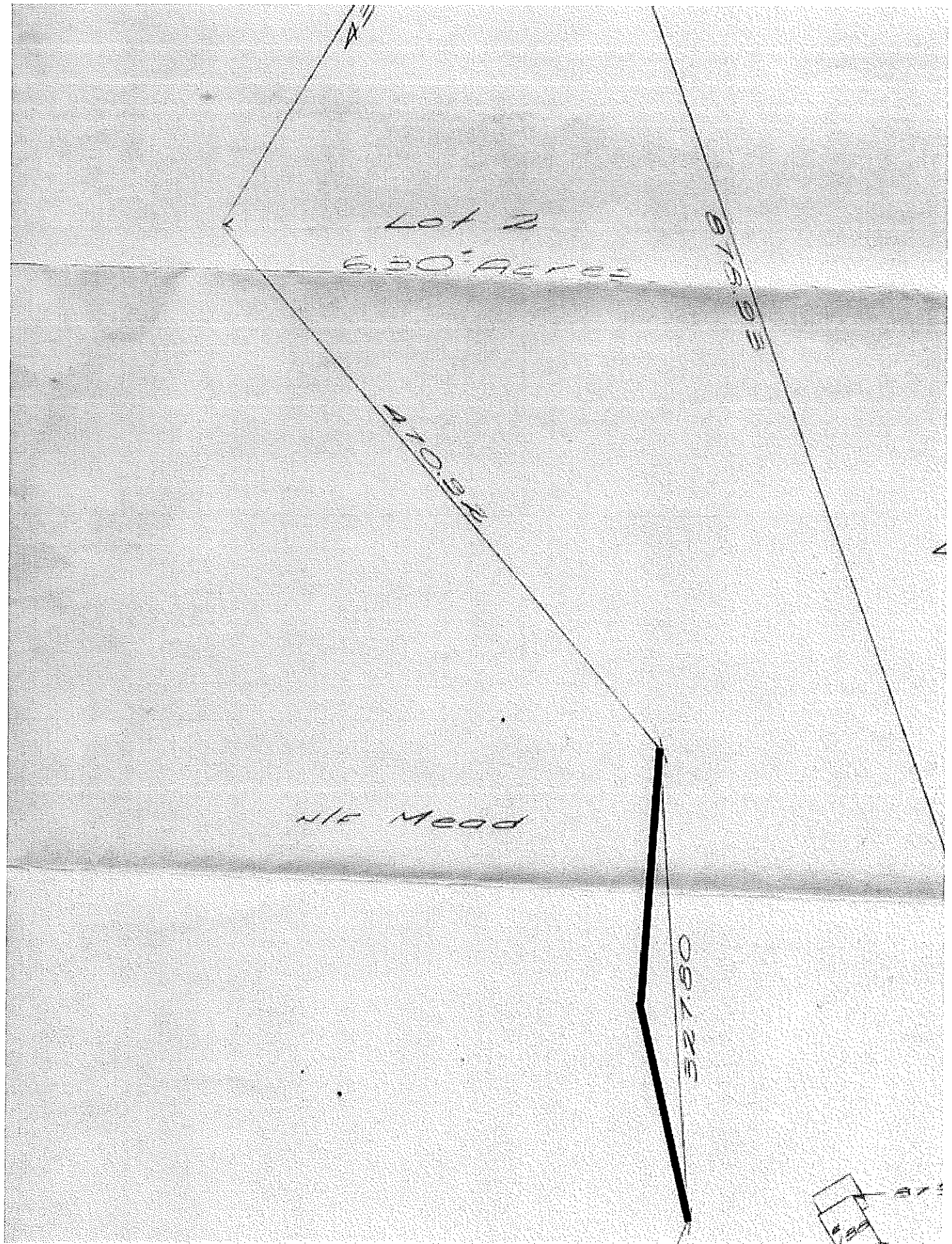
**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Friday, December 16, 2016 6:15 PM  
**To:** McCollem, Marlene  
**Cc:** Melissa Singletary  
**Subject:** Map Inaccuracy

Marlene

As I wrote once before, the recent maps showing the North Carver Urban Renewal Plan Project Area Boundary are inaccurate. Attached is a map I received when purchasing my property, a map which is in agreement with the Assessor's maps. I added the dark black line which reflects what the Urban Renewal Plan maps show, crediting me with a bit more property than is quite right.

I might be the only one that will notice, but I thought I'd send another reminder. I don't think it will make the slightest difference in terms of the discussions, but I figure you might want to get the maps right at some point.

Bob



## McCollem, Marlene

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**From:** William Sinclair <sinclairelectric.ws@gmail.com>  
**Sent:** Monday, November 21, 2016 6:10 AM  
**To:** McCollem, Marlene  
**Cc:** sinclairelectric.ws@gmail.com  
**Subject:** Fwd: Montello Street

good morning marlene, thought you would like to see this, please forward to mike. thanks

Begin forwarded message:

**From:** Christine Joy <cjoy@town.plympton.ma.us>  
**Subject:** FW: Montello Street  
**Date:** November 20, 2016 at 5:35:57 PM EST  
**To:** Will Sinclair <sinclairelectric.ws@gmail.com>, George McLaughlin <gjiii@mclaughlinbrothers.com>

Hello Will and George,

Our attorney's opinion regarding Montello Street is below.

Thank you,

Christine Joy  
Plympton Board of Selectmen  
Plympton Town House  
5 Palmer Road  
Plympton, MA 02367  
781-585-2700

---

**From:** Ilana Quirk [IQuirk@k-plaw.com]  
**Sent:** Thursday, November 17, 2016 7:55 PM  
**To:** Christine Joy  
**Cc:** Colleen Thompson; John Traynor  
**Subject:** Montello Street

Hello,

You requested an opinion regarding what action the Town of Plympton could take regarding use of the portion of Montello Street that is within the Town of Plympton. A question has been raised by property owners on Heather's Path regarding proposals to construct an urban renewal area in Carver, directly adjacent to the land along the south side of Heather's Path. The entrance to Heather's Path is located partially in Carver and the Heather's Path residents are concerned about new, through traffic from Carver along Montello Street, past the entrance to Heather's Path, as a short cut to reach North Main, because Montello Street appears to intersect with North Main Street in less than 1500 feet past Heather's Path.

In my opinion, the Town of Plympton controls only the roads that are located in Plympton (for purposes of laying out, discontinuing and otherwise controlling public ways under G.L. c.82; but, of course, both

members of the public and the Town may make requests of Carver and the permitting agencies who are regulating the proposed development. In summary, the options are as follows:

- The Town of Plympton could seek to discontinue Montello Street, at the point of its intersection with North Main Street and then block that entrance; however, under G.L. c.82, §1, ¶12, because the discontinuance point would be less than 1500 from another municipality, the Town, in addition to the normal discontinuance procedures which require Town Meeting approval, the Town also would need to give notice to the adjacent municipality and hold a public hearing and obtain the assent of the adjacent municipality's chief executive office to the proposed discontinuance or, if the assent were withheld for 90 days, the discontinuance could not occur unless the Town of Plympton were to request and obtain the approval of the administrator of the Massachusetts Department of Transportation for the discontinuance. I note that any such discontinuance, if it were approved, and passage to North Main Street were to be blocked would leave the residents along the Plympton portion of Montello Street and the residents along Heather's Path with no way to reach Plympton without going southerly down Montello Street and then into Carver, so that may be seen as undesirable.
- The Town of Plympton and/or area residents could ask Carver to discontinue the Carver portion of Montello Street at its intersection with Plympton, just before Heather's Path. That would require Carver to go through the discontinuance procedure and the assent procedure involving Plympton or the DOT under G.L. c.82, §1, §2.
- The Town of Plympton could explore the potential of making the Plympton portion of Montello Street one way, but that could inconvenience Plympton residents as well.
- The Town of Plympton and/or area residents could ask Carver to make the Carver portion of Montello Street one way.
- The Town of Plympton could explore the potential of placing signs on the Plympton portion of Montello Street that would limit traffic at certain times of the day. For example a sign could be considered to control traffic heading north on Montello Street, trying to reach North Main Street, that states: "NO ENTRY 4-6 p.m.; and/or a sign at the intersection of North Main and Montello could be considered to control traffic that would otherwise enter Montello Street that states: "NO ENTRY 7-9 a.m." This would be an inexpensive traffic control measure, but could lead to enforceability issues.
- The Town of Plympton could consider installing speed bumps or speed humps in the relevant portion of Montello Street, to slow any through traffic, which might discourage through traffic. Of course, Carver could be asked to place such infrastructure on the Carver side of Montello Street as well. This is a relatively inexpensive traffic control measure as well; except that it can make plowing of snow difficult and potentially hazardous.
- The Town of Plympton could write to the relevant permitting officials in Carver and ask that the relevant portion of Montello Street in Carver not be paved or widened and that no curb cuts that would encourage traffic to Plympton be allowed.

If you have additional questions, please contact me.

Regards,

***Kopelman and Paige is now KP | LAW***



Ilana M. Quirk, Esq.

**KP | LAW**

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 556 0007

F: (617) 654 1735

[iquirk@k-plaw.com](mailto:iquirk@k-plaw.com)

[www.k-plaw.com](http://www.k-plaw.com)

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**From:** Christine Joy [<mailto:cjoy@town.plympton.ma.us>]

**Sent:** Friday, November 04, 2016 12:25 PM

**To:** Ilana Quirk

**Cc:** Colleen Thompson; John Traynor

**Subject:** Montello Road

Hi Ilana,

The next Carver RDA meeting is 11/21.

Is it possible to get your opinion on closing Montello to through traffic by then?

Thank you and have a great weekend!

Christine Joy  
Plympton Board of Selectmen  
Plympton Town House  
5 Palmer Road  
Plympton, MA 02367  
781-585-2700

## McCollem, Marlene

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**From:** William Sinclair <sinclairelectric.ws@gmail.com>  
**Sent:** Monday, November 21, 2016 6:10 AM  
**To:** McCollem, Marlene  
**Cc:** sinclairelectric.ws@gmail.com  
**Subject:** Fwd: Montello Street

good morning marlene, thought you would like to see this, please forward to mike. thanks

Begin forwarded message:

**From:** Christine Joy <cjoy@town.plympton.ma.us>  
**Subject:** FW: Montello Street  
**Date:** November 20, 2016 at 5:35:57 PM EST  
**To:** Will Sinclair <sinclairelectric.ws@gmail.com>, George McLaughlin <gjiii@mclaughlinbrothers.com>

Hello Will and George,

Our attorney's opinion regarding Montello Street is below.

Thank you,

Christine Joy  
Plympton Board of Selectmen  
Plympton Town House  
5 Palmer Road  
Plympton, MA 02367  
781-585-2700

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**From:** Ilana Quirk [IQuirk@k-plaw.com]  
**Sent:** Thursday, November 17, 2016 7:55 PM  
**To:** Christine Joy  
**Cc:** Colleen Thompson; John Traynor  
**Subject:** Montello Street

Hello,

You requested an opinion regarding what action the Town of Plympton could take regarding use of the portion of Montello Street that is within the Town of Plympton. A question has been raised by property owners on Heather's Path regarding proposals to construct an urban renewal area in Carver, directly adjacent to the land along the south side of Heather's Path. The entrance to Heather's Path is located partially in Carver and the Heather's Path residents are concerned about new, through traffic from Carver along Montello Street, past the entrance to Heather's Path, as a short cut to reach North Main, because Montello Street appears to intersect with North Main Street in less than 1500 feet past Heather's Path.

In my opinion, the Town of Plympton controls only the roads that are located in Plympton (for purposes of laying out, discontinuing and otherwise controlling public ways under G.L. c.82; but, of course, both

members of the public and the Town may make requests of Carver and the permitting agencies who are regulating the proposed development. In summary, the options are as follows:

- The Town of Plympton could seek to discontinue Montello Street, at the point of its intersection with North Main Street and then block that entrance; however, under G.L. c.82, §1, ¶12, because the discontinuance point would be less than 1500 from another municipality, the Town, in addition to the normal discontinuance procedures which require Town Meeting approval, the Town also would need to give notice to the adjacent municipality and hold a public hearing and obtain the assent of the adjacent municipality's chief executive office to the proposed discontinuance or, if the assent were withheld for 90 days, the discontinuance could not occur unless the Town of Plympton were to request and obtain the approval of the administrator of the Massachusetts Department of Transportation for the discontinuance. I note that any such discontinuance, if it were approved, and passage to North Main Street were to be blocked would leave the residents along the Plympton portion of Montello Street and the residents along Heather's Path with no way to reach Plympton without going southerly down Montello Street and then into Carver, so that may be seen as undesirable.
- The Town of Plympton and/or area residents could ask Carver to discontinue the Carver portion of Montello Street at its intersection with Plympton, just before Heather's Path. That would require Carver to go through the discontinuance procedure and the assent procedure involving Plympton or the DOT under G.L. c.82, §1, §2.
- The Town of Plympton could explore the potential of making the Plympton portion of Montello Street one way, but that could inconvenience Plympton residents as well.
- The Town of Plympton and/or area residents could ask Carver to make the Carver portion of Montello Street one way.
- The Town of Plympton could explore the potential of placing signs on the Plympton portion of Montello Street that would limit traffic at certain times of the day. For example a sign could be considered to control traffic heading north on Montello Street, trying to reach North Main Street, that states: "NO ENTRY 4-6 p.m.; and/or a sign at the intersection of North Main and Montello could be considered to control traffic that would otherwise enter Montello Street that states: "NO ENTRY 7-9 a.m." This would be an inexpensive traffic control measure, but could lead to enforceability issues.
- The Town of Plympton could consider installing speed bumps or speed humps in the relevant portion of Montello Street, to slow any through traffic, which might discourage through traffic. Of course, Carver could be asked to place such infrastructure on the Carver side of Montello Street as well. This is a relatively inexpensive traffic control measure as well; except that it can make plowing of snow difficult and potentially hazardous.
- The Town of Plympton could write to the relevant permitting officials in Carver and ask that the relevant portion of Montello Street in Carver not be paved or widened and that no curb cuts that would encourage traffic to Plympton be allowed.

If you have additional questions, please contact me.

Regards,

***Kopelman and Paige is now KP | LAW***

Ilana M. Quirk, Esq.

**KP | LAW**

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 556 0007

F: (617) 654 1735

[iquirk@k-plaw.com](mailto:iquirk@k-plaw.com)

[www.k-plaw.com](http://www.k-plaw.com)

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**From:** Christine Joy [<mailto:cjoy@town.plympton.ma.us>]

**Sent:** Friday, November 04, 2016 12:25 PM

**To:** Ilana Quirk

**Cc:** Colleen Thompson; John Traynor

**Subject:** Montello Road

Hi Ilana,

The next Carver RDA meeting is 11/21.

Is it possible to get your opinion on closing Montello to through traffic by then?

Thank you and have a great weekend!

Christine Joy  
Plympton Board of Selectmen  
Plympton Town House  
5 Palmer Road  
Plympton, MA 02367  
781-585-2700

## McCollem, Marlene

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**From:** Karen Tuscher <karbrumer@aol.com>  
**Sent:** Tuesday, September 27, 2016 4:49 PM  
**To:** McCollem, Marlene; Will Sinclair; Charles Boulay - RDA; Brian Abatiello; jmleighton@comcast.net  
**Subject:** Property Not For Sale

RDA:

This email is to inform you that our property at 16 Montello Street is still not for sale. We were approached by the developer before the 9/26/16 meeting. He seemed to be concerned about the development that may possibly be going on around us in the future. We are thankful for that concern. We are fully aware of this and our position has not changed. Our home is not for sale.

Sincerely,  
Bruce and Karen Tuscher

Sent from my iPhone



## McCollem, Marlene

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**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Thursday, July 21, 2016 2:30 PM  
**To:** Allen; Borofski; Bob Butler; Callahan; Cohan; Cole; Cole; Davis; Franey; Hanson; Jackson; Joy; Keniston; Keniston; Kirkland; Kirkland; Maffioli; Massingham; Meurin; Moreno; Neal; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Traynor; Tuscher; Winslow; Winslow; McCollem, Marlene  
**Subject:** Northern Montello Street

All

At the July 18th meeting, there was direct clear testimony given that the northern Plympton end of Montello street is inadequate to unsafe. It is also the shorter more direct route from Route 58 from the north to the park and a way to avoid a traffic light and the problematic Dunkin intersection. While it would be nice to turn back the clock to a time when there was far less call for traffic on that road, this won't be done by wishful thinking, assigning blame or venting anger. Carver will hopefully be improving the Dunkin intersection to make it more attractive, and a good deal of the traffic will be coming from Route 44 and the south rather than from the north, but the northern Montello Street approach will remain the more direct route from the north.

If the traffic down northern Montello is to be reduced, we need constructive ideas on how to do it. I'm about tapped out for ideas folks, and I doubt what has been suggested to this point will be adequate. Are there any other meaningful ideas that would make a truck driver coming down 58 from the north stay on 58 rather than veering right onto northern Montello Street?

I've one more extreme idea that I've seen work. I live on Lakeview Blvd in Plymouth. We had a problem with through traffic using our unimproved private road built for access to summer homes as a short cut for travel between Plymouth and Wareham. Our solution was a set of jersey barriers that blocked all traffic from the summer home park to Wareham. As a result, if I want to get to Wareham, I have to go the long way around, but the barriers reduced traffic on Lakeview Blvd considerably, and it was the trucks that were rolling through fast while tearing up the roads that went away.

The equivalent would be to totally block Montello Street somewhere just south of Heather's Path, creating a residential cul-de-sac. This would present Carver with the problem of only having only one access to the park, but there is an existing though currently blocked access between the Old Shaw's parking lot and Montello street. Move a few stones and there would be an alternate access to the park, hopefully sufficient to satisfy the Carver fire chief.

If I'm reading Google Maps correctly, the barriers could be placed on the Plympton side of the line. The town border runs just south of Heather's path. Putting a barrier just north of the border would put Heather's path entirely on the Plympton side of things traffic wise.

While barriers should be a boon for those living on northern Montello Street, they would be a nuisance for those on Heather's Path. If the Heather people wished to go south, they would have to go around.

If no other ideas are forthcoming, the obvious alternative is to upgrade the road so it can safely handle the traffic it is going to attract. I do not know if Plympton has failed to upgrade their portion of Montello because they want to discourage traffic or for cost reasons. If it is for cost reasons, the developer has been paying for considerable improvements on the Carver side of the border. Would he be willing to spend money on improvement in Plympton that would improve access to his site?

The downside of that is that I'd expect if he paid for northern Montello to be safe for passage of trucks, he'd expect those who build in his park to be able to use the road. I'm not saying that this is what obviously should be done, but I believe it ought to be at least considered.

I'll add that I am not committed to implementing any of the above suggestions. There are many folks with conflicting interests involved. People are obviously unhappy and for good reason. The status quo is unacceptable. Let's throw out as many ideas as possible and at least give them due consideration.

Bob Butler

## McCollem, Marlene

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**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Wednesday, July 20, 2016 1:57 AM  
**To:** Allen; Borofski; Callahan; Cohan; Cole; Cole; Davis; Franey; Hanson; Jackson; Joy; Keniston; Keniston; Kirkland; Kirkland; Maffioli; Massingham; Meurin; Moreno; Neal; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Traynor; Tuscher; Winslow; Winslow; McCollem, Marlene  
**Subject:** July 18, 2016 Carver Redevelopment Authority Meeting

All

I'm just reviewing some things from Monday's meeting, some of them of note.

While the meeting was announced as a joint meeting with the Carver Redevelopment Authority and the Business Development Commission, no one from the Business Development Commission was present.

Two letters were read from people whose homes were listed in blue as 'to be acquired' on the URP's Project Area Parcel Listing. They have spoken with the developer and agreed to sell their properties. I believe this leaves one residence 'to be acquired' in the 12 - 20 Montello Street area. Patience and sympathy seem appropriate there.

The redevelopment zone was reduced by three white properties from the Project Area Parcel Listing: Maimone & Messingham's 24 Montello Street, Butler's 26 Montello Street (my property), and Jackston & Singletary's 0 Montello Street. These three properties are the only three on the Carver assessor's Map 23. They are adjacent in the northeast corner of the zone. Two of these are small but contained a well and a driveway which serviced adjacent homes in Plympton. My current intent is to leave my third larger property intact and wooded in an attempt to provide some sort of buffer between the development and the Heather's Path area.

These properties were easily removed from the redevelopment zone by vote of the Carver Redevelopment Authority in part as they were on the outer edge of the redevelopment zone, right on the border with Plympton. It may be less easy to remove other properties. However, those with properties whose value is being effected by being on the list, those who want off the list for any reason, might want to look into whether something similar might be done.

There was a little talk of what it means to be on the Project Area Parcel Listing. All properties in the redevelopment zone must be on the list. Properties may only be removed from the list by reducing the size of the redevelopment zone. Some properties are listed in blue, as 'to be acquired'. The blue properties are the current intended targets of eminent domain or buy out. The white properties are not at this time intended to be taken, but there are no guarantees. As an example, two properties were white in the earlier version of the parcel listing, but were blue in last week's updated version.

Members of the public were encouraged to speak at the meeting. Among those who spoke was a representative of the developer. He voiced optimism that businesses will be found who will want to build on the site. He noted that the nearest similar development, Plymouth's Miles Standish Park, has recently sold its last large parcel. Thus, there are no other sites in the general area that could hold buildings the size of the orange blocks that have been shown in recent Carver redevelopment plans. While he expressed hope, he added a plea to hasten the process. There is currently a fad of building fewer but larger warehouses. While this is currently the accepted wisdom, things could change. The opportunities are there, but might not wait forever. In his view, the two driving requirements are cleaning up the site and getting access roads in. The developers are working the cleaning. They nudged the development board toward getting the roads done sooner rather than later. The town was asked for an estimate of when their process might be finished. No estimate as to how long it might take is available at this time.

It was firmly established, beyond reasonable doubt, again, that *no one* is happy with the current Route 58 / Montello Street / Dunkin Donuts intersection. The current options were briefly reviewed with no new plans shown and no hints as to which plan is currently favored. When a question was raised about a traffic light, it became clear that nothing definitive will be known soon. After Carver goes through its part of the process, the State gets its turn, and only then will a traffic study addressing lights take place. They will not make a decision on lights until the number and size of the buildings in the park is known, and thus the

traffic load can be anticipated. It seems like decisions on the Dunkin intersection may not be coming soon. My feeling is that at every meeting we will spend time agreeing that the current situation is absolutely untenable, but no new information will be forthcoming as to what might be done. I hope I am wrong, but that has been the pattern.

Two officials from Plympton attended the meeting and spoke. The main thrust is that Plympton residents are suffering from the actions of Carver, and they pushed somewhat for Carver to do the right thing. One resident from the Plympton side of Montello Street described the problem... a narrow unimproved road, large trucks traveling at speed, drivers ignoring signs and traveling through residential front yards. It seems if you don't want your front yard to become a public roadway you must line it with rocks large enough to discourage trucks.

This has lead me to think of things somewhat from the perspective of a truck driver traveling to the hypothetical park from the north on Route 58. He has a choice between the unimproved Plympton end of Montello street, or he can go through the Old Shaw's traffic light and the notorious Dunkin Donuts intersection with its two hard corners, one of them blind. I can quite understand why many drivers choose the unimproved road. It seems we should be looking to change the situation, to encourage them to stay on Route 58 a bit longer.

Clearly, the Dunkin intersection should be designed to make access to the park as clean as possible, though it seems that part of that planning is on hold. The Dunkin intersection problem is on Carver's plate. It was stated that the southern approach up the current Off Montello Street is intended to be the primary access, but to some extent that may be the truck driver's call rather than any committee's.

The other side of the equation is how to handle Plympton's portion of Montello. The current plan seems to be to make the drive as unpleasant as possible, to deter the trucks from taking that route. Put up road signs telling trucks to go away. Leave the road unimproved and narrow. Let ruts develop. This could be taken further. Put speed bumps between the ruts. Have police enforce the signs often enough that they will be taken seriously. Make the northern entry to the park suitable for emergency use, but don't make it as easy and convenient as the southern entry.

The opposite approach would be to rebuild the road such that the traffic can be handled safely. This will likely require widening the road, preferably on the eastern side, taking a little land on the side away from the residential front lawns. This is not all positive. My original intent with the Local's Alternative was to keep trucks out of residential areas and away from school busses. However, the less pleasant and less safe the Plympton's side of Montello Street is for trucks, the less pleasant and less safe it gets for the school busses and residents. Someone might at least consider that if the trucks are going to come, they should make the road safe for the trucks and thus for everyone else.

I confess I was a bit peeved at the Plympton officials. Yes, Carver should do what they can to make the Dunkin intersection as safe and easy for trucks coming from the north as possible. No, it is not entirely Carver's problem. If Plympton wants its people safe, they might at least consider building safe roads in Plympton.

Robert Butler

## McCollem, Marlene

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**From:** Michael Tassinari <mrmiketass@icloud.com>  
**Sent:** Saturday, July 16, 2016 10:08 AM  
**To:** McCollem, Marlene  
**Cc:** giii@mclaughlinbrothers.com  
**Subject:** Re: Carver Redevelopment Authority

Marlene,

We would like to inform you we have made a potential agreement with 44 Development for the purchase of our property 12 Montello Street in Carver. I would request the development move forward as expeditiously as possible so we can move on. I think the redevelopment is a good fit for the Town and look forward to its success.

Respectfully,  
Michael Tassinari

Sent from my iPad

On Jul 13, 2016, at 2:20 PM, McCollem, Marlene <[marlene.mccollem@carverma.org](mailto:marlene.mccollem@carverma.org)> wrote:

Hello Everyone:  
Attached is the agenda and supporting documents that will be discussed at the Redevelopment Authority's meeting of  
**Monday, July 18 at 7 PM in Room #1 of Town Hall.**

Thank you,  
Marlene

Marlene V. McCollem, AICP  
Director of Planning, Environment & Permitting  
Town of Carver  
108 Main Street  
Carver, MA 02330

508.866.3450

<FXMTechnical Memorandum Carver RA.pdf>  
<North Carver URP DRAFT 2.4.16 .pdf>  
<CRA\_BDC\_7.18.16.pdf>

## McCollem, Marlene

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**From:** Lisa and John Allen <johnlisaallen@yahoo.com>  
**Sent:** Friday, July 15, 2016 2:36 PM  
**To:** McCollem, Marlene  
**Subject:** URP Re: 20 Montello Street

Marlene,

In regards to the Urban Renewal Project:

In favor of the project, we have reached an agreement, with Route 44 LLC, in principle regarding the purchase of our property located at 20 Montello St, and we are in the process of finalizing the paperwork.

Sincerely,

John & Lisa Allen



**Cc:** Brian Abatiello (bdacrda@gmail.com); Charles Boulay - RDA (Knights4522@comcast.net); jmleighton@comcast.net; Will Sinclair (sinclairelectric.ws@gmail.com); Heidi Gregory-Mina (heidi\_mina@yahoo.com); Jackie Gingrich (shadyacrescamping@gmail.com); Robert Woolson (woolsonengw@aol.com); Steve Romano (carverpines@aol.com); George McLaughlin (giii@mclaughlinbrothers.com); Robert Delhome (rdelhome@charter.us); Milanoski, Michael; Allen; Borofski; Butler; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Meurin; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Winslow; Winslow, Jeanne M.  
**Subject:** Re: Carver Redevelopment Authority

My husband and I have not spoken publicly yet about the possibility of our property being taken away from us. We are private people who love living in a private area.

On 12/26/15 we received a call from our doctor. At this time my husband is laying in a hospital bed. He has multiple myeloma cancer. There is no cure, but he did have a bone marrow transplant last week which may give him longer to live and we would love to live in the home where we have been for 37 years this month.

We are not opposed to a business at the 127 acre parcel. We have seen many businesses on that land. My husband and I worked for one of them several years ago.

Karen Tuscher

On Jul 13, 2016, at 2:20 PM, McCollem, Marlene <marlene.mccollem@carverma.org> wrote:

Hello Everyone:

Attached is the agenda and supporting documents that will be discussed at the Redevelopment Authority's meeting of

**Monday, July 18 at 7 PM in Room #1 of Town Hall.**

Thank you,  
Marlene

Marlene V. McCollem, AICP  
Director of Planning, Environment & Permitting  
Town of Carver  
108 Main Street  
Carver, MA 02330

508.866.3450

<FXMTechnical Memorandum Carver RA.pdf>

<North Carver URP DRAFT 2.4.16 .pdf>

<CRA\_\_BDC\_7.18.16.pdf>

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## McCollem, Marlene

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**From:** Winslow, Jeanne M. <JWINSLOW4@PARTNERS.ORG>  
**Sent:** Friday, July 15, 2016 11:11 AM  
**To:** 'Karen Tuscher'; McCollem, Marlene  
**Cc:** Brian Abatiello (bdacrda@gmail.com); Charles Boulay - RDA (Knights4522@comcast.net); jmleighton@comcast.net; Will Sinclair (sinclairelectric.ws@gmail.com); Heidi Gregory-Mina (heidi\_mina@yahoo.com); Jackie Gingrich (shadyacrescamping@gmail.com); Robert Woolson (woolsonengw@aol.com); Steve Romano (carverpines@aol.com); George McLaughlin (giii@mclaughlinbrothers.com); Robert Delhome (rdelhome@charter.us); Milanoski, Michael; Allen; Borofski; Butler; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Meurin; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Winslow  
**Subject:** RE: Carver Redevelopment Authority

Good Morning Mrs. Tuscher,

I am so sorry for what you, your husband and your family are going through. I cannot imagine the horrific grief and heartbreak you must be feeling at this time. My heart, as I'm sure many others, is saddened to know that a small, rural town government has put its own wants and desires before the needs of its residents and land owners.

Your words will resonate through many as the correspondence you have shared with us is slated to be publicly read according to the agenda for the meeting on Monday. I'm sure that many people will empathize, understand and truly realize that this could happen to any one of us at any given time should the Board of Selectman approve this heinous plan.

We also feel that the land that was previously purchased should be the land that is developed as was discussed for many months last summer. There is no need for anyone to aggregate property that doesn't belong to them. I believe that I speak for the majority of us affected, in one way or another, by this travesty that if we can be of any help to you, please know that your neighbors on Montello & Heather's Path, as well as many other people, are here to support you in any way we can.

Once again, I am so sorry for the trials you are currently facing.

Regards,

Jeanne Winslow  
28 Heather's Path  
Plympton, MA

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**From:** Karen Tuscher [mailto:karbrumer@aol.com]  
**Sent:** Friday, July 15, 2016 10:26 AM  
**To:** McCollem, Marlene

## McCollem, Marlene

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**From:** Karen Tuscher <karbrumer@me.com>  
**Sent:** Saturday, July 16, 2016 8:18 PM  
**To:** Bob Butler  
**Cc:** McCollem, Marlene; Brian Abatiello (bdacrda@gmail.com); Charles Boulay - RDA (Knights4522@comcast.net); jmleighton@comcast.net; Will Sinclair (sinclairelectric.ws@gmail.com); Heidi Gregory-Mina (heidi\_mina@yahoo.com); Jackie Gingrich (shadyacrescamping@gmail.com); Robert Woolson (woolsonengw@aol.com); Steve Romano (carverpines@aol.com); George McLaughlin (gjii@mclaughlinbrothers.com); Robert Delhome (rdelhome@charter.us); Milanoski, Michael; Allen; Borofski; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Meurin; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Winslow; Winslow  
**Subject:** Re: South and West

Sincere thanks to you Mr Butler

Sent from my iPhone

On Jul 16, 2016, at 8:04 PM, Bob Butler <[robertbutler40@comcast.net](mailto:robertbutler40@comcast.net)> wrote:

### South and West

I am Robert Butler, who put together the Local's Alternate. Looking at the agenda for Monday's meeting, it seems the Alternate is being considered, but it is not clear that comments from the public will be heard. Thus, I am putting my thoughts on paper and on the net.

The Local's Alternate works on two simple principles.

First, the primary access should be from the south, near the current Off Montello, rather than from the north, along the current Park Ave. The southern route should cleanly separate trucks and school busses, require less taking of residential lands, and keep industrial traffic further from residences. No one has stated reasons for preferring the northern approach. They have presented several configurations of the northern approach that have no hard corners, that would allow faster truck travel. I assume their motive is softer curves. However, if Off Montello is extended to Route 58, hard corners could be avoided on the southern route as much as using the northern route.

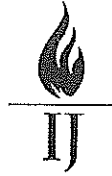
Second, there is much unused land on the western side of the development zone, and much healthy, occupied residential property in the east. Yet, many to most of the plans presented to date lean east, taking eastern residences while leaving empty land to the west undeveloped. Again, no one has stated why this pattern persists. My guess is that the better developed eastern properties have infrastructure access already, or are closer to where connections will have to be made. Developing eastern land makes connection to roads, water, sewer, power and other infrastructure cheaper for potential developers. In short, homes are being taken to reduce costs, to increase profits.

I am no industrial architect. The Local's Alternate will need much tuning. However, it should illustrate that if one uses only the empty land, one can build what folk want to build without taking residences. I believe everyone acknowledges that the unused land ought to be developed and will be developed. The question is whether homes should be destroyed while empty property is left empty.

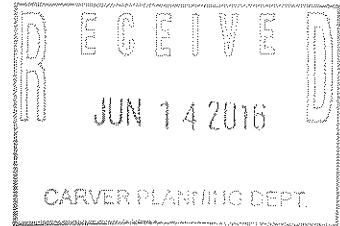
I am not the first person to say these things. Versions of the southern and western principles have been stated clearly, passionately and repetitively. However advocates of the northern and eastern principles keep presenting their own plans with no regard to local input. I do not know who. They apparently don't want to be identified. I don't know why, which is the greater problem. If they were willing to speak of true valid concerns, we might address and correct said concerns. If they continue to operate in secret behind closed doors, all that can be done is to increase the shrillness and volume of the conversation, and perhaps to call in lawyers.

Anyway.... put the access road south, the buildings to the west. There are lots of technical details to be refined, but those principles should reflect the primary concerns of many of the locals.

Robert Butler



INSTITUTE FOR JUSTICE



June 14, 2016

Board of Selectmen and Redevelopment Authority  
Carver Town Hall  
108 Main Street  
Carver, MA 02330

VIA E-MAIL

RE: Route 44 North Carver Urban Renewal Plan

Dear Board of Selectmen and Redevelopment Authority:

**The Institute for Justice urges the Carver Board of Selectmen and Redevelopment Authority to reject any urban renewal plan that calls for the condemnation of private property through eminent domain for the large-scale industrial project contemplated north of Route 44 and west of Route 58.** Eminent domain is for public use—things like roads and schools—not for private development purposes. We ask that the town reject the use of eminent domain, leave homeowners alone and instead work with Route 44 Development, LLC to develop their ample acreage.

The Institute for Justice is a public interest, civil liberties law firm dedicated to stopping the abuse of eminent domain nationwide. We represented Susette Kelo and her neighbors before the U.S. Supreme Court in the infamous *Kelo v. City of New London* case, which sparked a nationwide revolt against eminent domain abuse that continues to this day. We have successfully represented and mobilized property owners across the country in their challenges to urban renewal plans and eminent domain abuse similar to that contemplated in Carver.

We have serious concerns with how Carver officials are seeking to use urban renewal and eminent domain powers for this project. Using eminent domain for a private development project is a serious abuse of power. Courts nationwide are rejecting eminent domain as a tool for private economic development, and local officials and redevelopment authorities that seize land for developers have faced monumental bad publicity, years of litigation, and even the loss of their positions due to public backlash.

Aside from the obvious constitutional problems presented by the Redevelopment Authority's proposals, its lack of regard for residents' concerns is also astounding. Even basic requests to address serious traffic and safety concerns are met with disinterest or silence. The development the town is considering is life-changing—and potentially life-ruining—for residents, and there has been no meaningful citizen participation, notice or engagement.

ARLINGTON    AUSTIN    BELLEVUE    CHICAGO    MIAMI    MINNEAPOLIS    TEMPE

901 N. Glebe Road, Suite 900 Arlington, VA 22203 (703) 682-9320 (703) 682-9321 Fax  
general@ij.org    www.ij.org



Furthermore, across the country, we have seen projects that rely on the use of eminent domain fail miserably, and in the process drive down property values, private investment and constituents' trust. Just look at the Fort Trumbull neighborhood in New London, Conn., home to the *Kelo* case: after years of litigation, millions in taxpayer dollars and a trip to the U.S. Supreme Court, all that is left of the former neighborhood of homes is overgrown weeds and feral cats. The developer left New London, and shortly thereafter, Pfizer—the community's neighbor, on whose behalf the project was to be built—followed.

Meanwhile, cities that have pursued development with a respect for property rights have enjoyed an influx of *billions* in private investment. Private negotiation, not government force, has spurred development in this country for centuries.

If you pursue the use of eminent domain for this project, you are sending a message to property owners across Carver that their investments are not safe—because anybody's property could generate more tax dollars as something bigger. You are also sending the same message to others contemplating moving to Carver, who will think twice before buying property there.

We are confident you want what is best for Carver: eminent domain is not it. Please do not hesitate to contact me at (703) 682-9320 or [cwalsh@ij.org](mailto:cwalsh@ij.org).

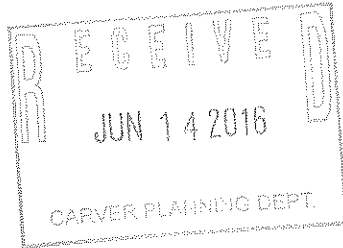
Best,

A handwritten signature in black ink, appearing to read 'CWalsh', with a large, stylized initial 'C'.

Christina Walsh  
Director of Activism and Coalitions

# ROUTE 44 DEVELOPMENT, LLC

One Washington Mall, 16th Floor  
Boston, MA 02108  
Telephone: 617-523-7165  
Facsimile: 617-327-5200



January 20, 2015

## CONFIDENTIAL

Mr. Richard F. Ward, Chair  
Mr. Alan R. Dunham  
Ms. Sarah G. Hewins  
Mr. Ronald B. Clarke  
Ms. Helen L. Marrone  
Town of Carver  
108 Main Street  
Carver, MA 02330

CONFIDENTIAL

Re: Proposed Urban Renewal Project

Dear Chairman Ward and Selectpersons Dunham, Hewins, Clarke and Marrone:

My name is George McLaughlin, and I along with my partner, Robert Delhoma, are co-managers of Route 44 Development, LLC ("Route 44"). Route 44 is a Massachusetts Limited Liability company that was established to take title to and develop approximately 185 acres of land in Carver, Middleboro and Plympton shown on Exhibit A attached hereto (the "Property").

I am a trial attorney who runs The McLaughlin Brothers, P.C. located at One Washington Mall, Boston, Massachusetts. For the past 30 years, I have tried hundreds of civil cases, and I specialize in trying eminent domain cases. In addition to practicing law, I have invested in real estate over the past 20 years and have been involved in the purchase, development, management and sale of over 2,000,000 square feet of real estate in Massachusetts.

My partner, Robert Delhoma, owns and operates Charter Environmental, Inc. of 300 Harrison Avenue, Boston, Massachusetts. For the past 20 years, Mr. Delhoma has been involved in the purchase, development and management of approximately \$600,000,000 of real estate projects.

Mr. Richard F. Ward, Chair  
Mr. Alan E. Dunham  
Ms. Sarah G. Hewins  
Mr. Ronald E. Clarke  
Ms. Helen L. Marrone  
January 20, 2015  
Page 2

We purchased the Property to develop it as a regional distribution center (the "Proposed Development"). In connection with our Proposed Development of the Property, we have retained Vanasse Hangen Brustlin, Inc. ("VHB") to analyze the Property and advise us regarding its development potential. We have also retained J.R. McDonald of Cushman & Wakefield, 225 Franklin Street, Suite 300, Boston, MA 02110. Mr. McDonald is one of the top commercial/industrial brokers in Eastern Massachusetts and has been involved in the sale and lease of millions of square feet of commercial property during his twenty (20) year career.

Due to the Property's unique location at the intersection of Routes 44 and 58, our team feels that the Property has great development potential. I attach hereto as Exhibit B several development scenarios showing that the Property can be developed with at least 1,100,000 square feet of space. Our confidence in the development potential of the Property was bolstered by SYSCO's development of its 650,000 square-foot regional distribution facility one exit away in Middleboro. At present, there are a number of tenants looking for large regional distribution facilities; however, we need to make the site "pad ready" in order to enter into a lease with one of these potential tenants. In order to make the Property "pad ready," we need to straighten out the access; import, crush and place clean fill materials, and resolve the Property's DEP site designation as a landfill.

We have already spent a great deal of money analyzing the site's development potential and access. In connection with our site analysis, VHB advises that we will not obtain MEPA approval of our Proposed Development, because the existing access over Montello Street and Park Avenue is inadequate. Even if we could obtain MEPA approval, Mr. McDonald advises that potential tenants would find the existing access inadequate. Consequently, we had VHB, in consultation with Mr. McDonald, develop an access that would be acceptable to both MEPA and potential tenants. I attach hereto as Exhibit C one proposed access scheme that will satisfy both MEPA and potential tenants. However, this proposed access requires the road to be widened and located on property we do not own. As Mr. Delhome and I have studied the project for the past 18 months, it has become apparent that this project presents a classic urban renewal plan opportunity. Of course, we are willing to participate, financially and otherwise, in this urban renewal project. At present, the Property and the surrounding property is a blighted, decadent and substandard open area that will not be able to be developed without public involvement. I attach hereto as Exhibit D a plan that shows the area that we would like to develop (the "Project Area"). If we named as the developer under an urban renewal plan, we feel confident that we would be able to obtain MEPA approval to develop this area into approximately 1,500,000 square feet of highly desirable regional distribution space. This will have a tremendously beneficial impact on Carver by providing considerable real estate tax revenues, jobs to local residents and a large user of water and other utilities.

Mr. Richard F. Ward, Chair  
Mr. Alan E. Dunham  
Ms. Sarah G. Hewins  
Mr. Ronald B. Clarke  
Ms. Helen L. Marrone  
January 20, 2015  
Page 3


As you know, in order to move forward on an Urban Renewal Plan, Massachusetts G.L. c. 121B, §48 requires that "(N)o urban renewal project shall be undertaken until (1) a public hearing relating to the urban renewal plan for such project has been held after due notice before the city council of a city or the municipal officers of a town and (2) the urban renewal plan therefor has been approved by the municipal officers and the department as provided in this section." G.L. c. 121B, §1 defines "municipal officers" as "the board of selectmen with the approval of the town manager, if any." Therefore, in order for Carver to approve an urban renewal plan, it would have to be by vote of the Selectmen with the approval of the town manager and the Department of Housing and Community Development ("DHCD").

We look forward to discussing this project with you in more detail. Thank you for your attention to this matter.

Sincerely,

ROUTE 44 DEVELOPMENT, LLC

By:

  
George A. McLaughlin, III,  
Manager

GAM/slp

Enclosures

cc: Robert Delhome, Manager

## McCollem, Marlene

---

**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Wednesday, June 08, 2016 3:29 PM  
**To:** McCollem, Marlene  
**Subject:** A Local's Alternate

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Marlene

After the June 6 meeting, I had an opportunity to present "A Local's Alternate" plan to the Town Administrator, Michael Milanoski. He indicated that he would pass it on to the town's consultants. He asked a pertinent question. 'Does the plan have the approval of the locals?' I had just begun to distribute it, and could not give him a firm yes answer at that time.

I can now give a firm yes. I am trying to get something better documented in the form of a poll or a petition, but everyone I have talked to is much more supportive of the Alternate than the June 6 version of Plan A. There are two reasons.

It doesn't take residences. It works on the principle of using the truly blighted and unused western land before considering healthy eastern occupied residential properties. As everyone should know very well by now, *this is the primary objection*.

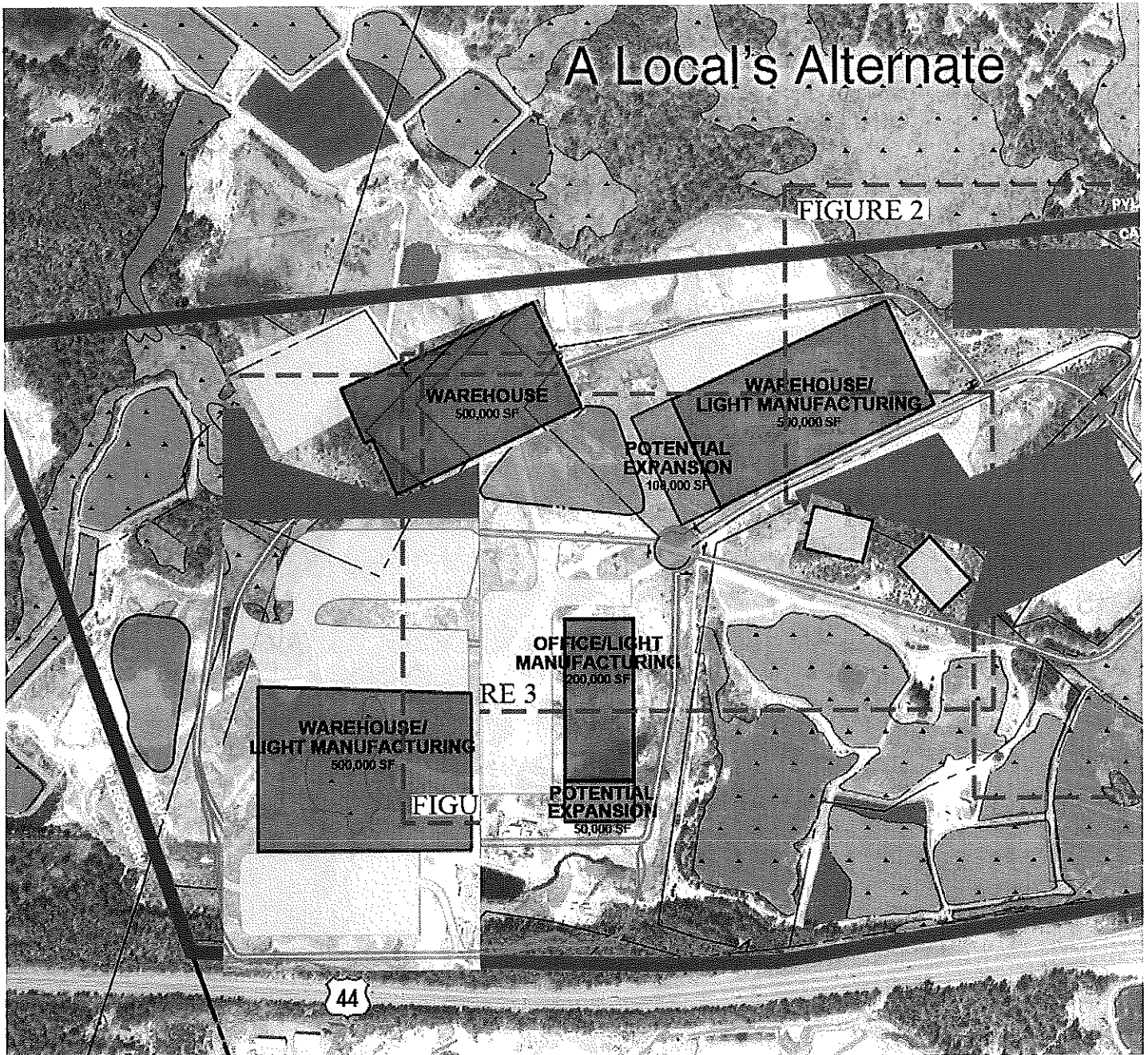
It also keeps the commercial, residential and donut traffic well separated without forcing the commercial traffic to make an extra hard turn involving stop signs. I'm no traffic engineer. I'm a software guy. Still, an access road that starts half way between the Old Shaw's and Duncan's that smoothly joins Off Montello really ought to be considered.

I have had one local who is not pleased with the Alternate as she has something she considers better. She is pushing for a direct off ramp from Route 44. Thus, it is not *quite* unanimous, though even she would prefer the Alternate to a Plan A variant. I can sympathize, but everything I know about limited access highways says the direct Route 44 access just isn't going to happen.

Robert Butler



# A Local's Alternate



## McCollem, Marlene

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**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Sunday, June 05, 2016 11:28 AM  
**To:** McCollem, Marlene; Sinclair, William; Rich; Tassinari; Cohan; Shea; Lisa Maffioli; Tuscher; Keniston; Keniston; Callahan; Rick Jackson; Hanson; Davis; Gordon Massingham; Moreno; Roussos; Rankin; Tassinari; Borofski; Winslow; Cole; Melissa Singletary  
**Subject:** An Alternative  
**Attachments:** June4 Alternate.psd

I took the most recent plan sent by Marlene McCollem and moved stuff around using Photoshop. I have long felt that the plans, all of them, not just the latest one, leans everything to the east. My feeling is that it should be the opposite. They should use the western areas first and not disturb or take the residential areas until they have fully utilized the west.

The below map illustrates a plan that leans west. I did three cut - paste operations, leaving blank brown areas behind. The western most building on the R44LLC / VHB plan was moved south towards Route 44. The eastern most building on the R44LLC plan was moved the the north west, using land freed up by the first move. Finally, the two smaller buildings nearest Heather's Path were moved to just east of the central circle.

I also proposed (as shown in light green) another possible access road. It extends Off Montello Street out to meet Route 58 about half way between Duncan's and the old Shaw's. The only reason I can think of that R44LLC and VHB prefer the Plan A configuration is the hard corner turning from Montello Street onto Off Montello. This would force trucks to pretty much come to a full stop. Extending Off Montello would give vehicles entering the development area soft curves.

The below is quick, dirty and rough. I didn't change the building shapes and kept the existing parking lots as they were. Being able to change these somewhat would likely allow smoothing out some rough spots. I have no doubt there will be reasons to tweak it. Still, it illustrates that the buildings that R44LLC and VHB want to put up can be put up without an in your face assault on the existing residences.

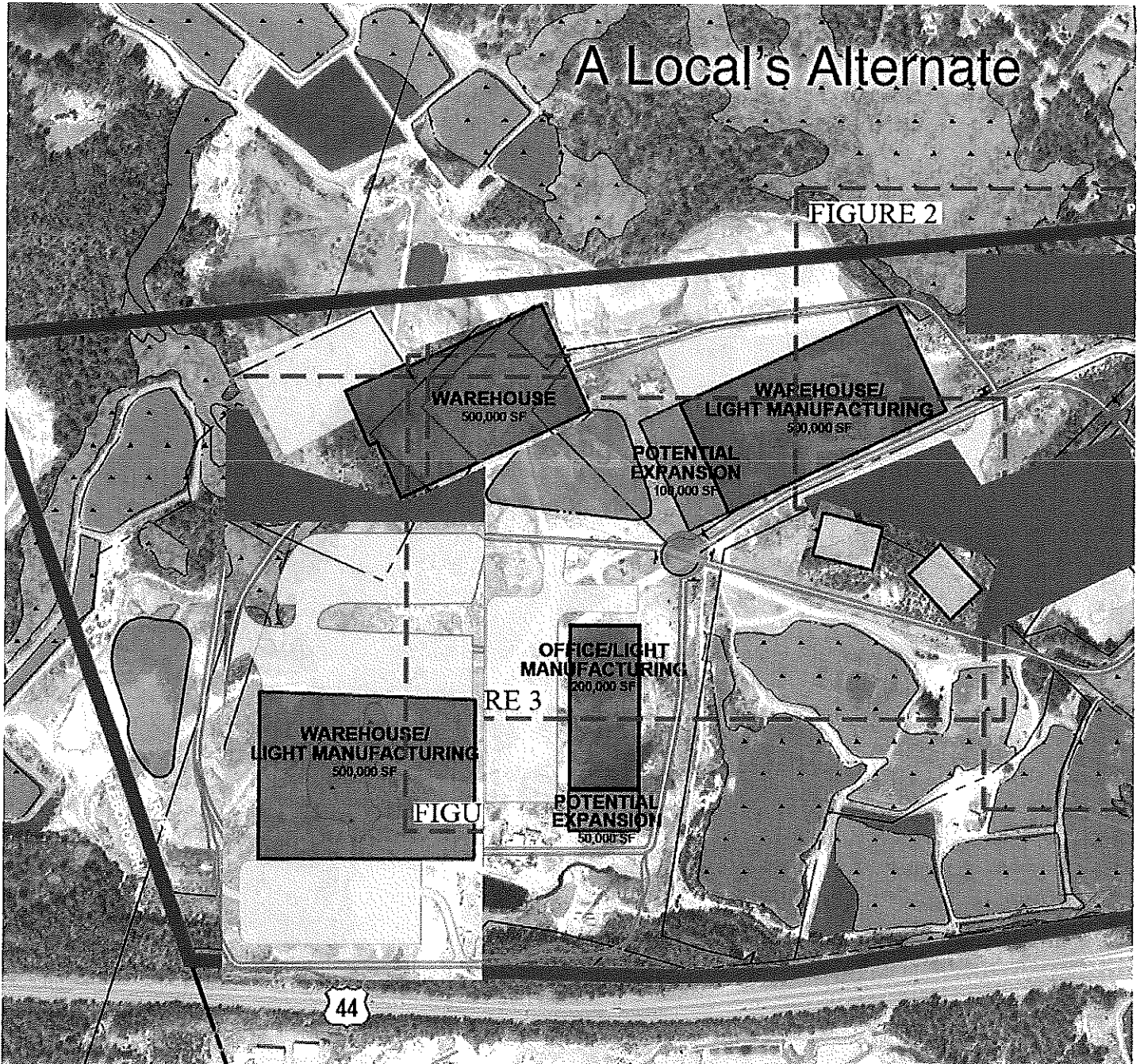
I intend to bring copies to the meeting.

Robert Butler

**McCollem, Marlene**

**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Sunday, June 05, 2016 11:52 AM  
**To:** McCollem, Marlene; Sinclair, William; Rich; Tassinari; Cohan; Shea; Lisa Maffioli; Tuscher; Keniston; Keniston; Callahan; Rick Jackson; Hanson; Davis; Gordon Massingham; Moreno; Roussos; Rankin; Tassinari; Borofski; Winslow; Cole; Melissa Singletary  
**Subject:** An Alternative File Format

I understand there is a problem reading the original file format. I'll try again using JPG.



## McCollem, Marlene

---

**From:** Lisa and John Allen <johnlisaallen@yahoo.com>  
**Sent:** Sunday, June 05, 2016 5:04 PM  
**To:** McCollem, Marlene  
**Subject:** Re: Carver Redevelopment Authority Agenda

Hi Marlene and Members of the Carver Redevelopment Authority ,

I just wanted to thank you ahead of time for bringing the current proposal up for review this Monday evening, June 6, 2016. We think this updated configuration is the best possible scenario and we thank you for valuing our input and for the care with which you have and continue to communicate with us.

Lisa and John Allen  
[johnlisaallen@yahoo.com](mailto:johnlisaallen@yahoo.com)

On Jun 1, 2016, at 10:07 AM, McCollem, Marlene <[marlene.mccollem@carverma.org](mailto:marlene.mccollem@carverma.org)> wrote:

Good Morning,  
The CRA will be meeting Monday, June 6 at 7 PM in Room #1 of Carver Town Hall.  
A copy of the agenda is attached to this email.  
Thank you,  
Marlene

Marlene V. McCollem, AICP  
Director of Planning, Environment & Permitting  
Town of Carver  
108 Main Street  
Carver, MA 02330

508.866.3450

<CRA\_BDC\_6.6.16.pdf>

## McCollem, Marlene

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**From:** Lisa Maffioli <lisa.maffioli@yahoo.com>  
**Sent:** Saturday, June 04, 2016 6:19 AM  
**To:** McCollem, Marlene  
**Cc:** Allen; Borofski; Butler; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Massingham; Meurin; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Tuscher; Winslow; Winslow  
**Subject:** Re: revised access plan for Carver Redevelopment Authority

Marlene:

Is this the only plan being presented? It appears that all homes and properties will be taken. Or that possibly it has already been negotiated with the homeowners.

Can you let me know if that is the case.

1. Only plan being presented
2. whether or not eminent domain is being used
3. if the homeowners have agreed that they no longer wish to stay and are agreeing to sell.

As you know, this affects Plympton residents and neighborhoods. And there has not been one mention of working with the neighborhood to help with our peace and quiet and safety. Nor has anyone reached out to the Town of Plympton to discuss the impact.

Please respond.

Lisa Maffioli

Sent from my iPhone

On Jun 4, 2016, at 5:55 AM, McCollem, Marlene <[marlene.mccollem@carverma.org](mailto:marlene.mccollem@carverma.org)> wrote:

Good Morning,

Attached is the plan that the CRA will be discussing at its meeting Monday night.

Thank you,

Marlene

<12681.01\_Carver%20Access%20Reconfiguration.pdf>



## McCollem, Marlene

---

**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Saturday, June 04, 2016 6:43 AM  
**To:** Allen; Borofski; Bob Butler; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Meurin; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Tuscher; Winslow; Winslow; McCollem, Marlene  
**Subject:** Thoughts on June 4 Plan

To state the obvious.

There is again a warehouse square on top of the 12 - 20 Montello street residential properties.

The alignment of the access roads is back to the basic pattern of the Plan As. The primary entrance with its curved roads is in the north (Park Street) access, with a hard left turn going into the southern access (Off Montello). Trucks traveling at any speed would vastly prefer the northern access, and the gently curved road suggests the whole intent would be for trucks to be moving at speed. This approach would put school busses and trucks together in the 12 - 20 Montello street area, though the apparent intended solution to that problem is to simply take the 12 - 20 Montello properties. The notion of the primary access road being to the south while the northern access is fire emergency only seems to have been abandoned.

The land in the northeast corner of the sight is unused. I had recommended earlier that putting anything close to Montello Street should not be done unless the western parts of the site well away from the residential areas is fully utilized. Allegedly, there is no known customer. Allegedly, there are no available requirements for the number and size of the buildings. Thus the plan reflects the whims and desires of the real planners rather than real requirements.

My own whims and plans would move the western most Warehouse / Light Manufacturing building south, closer to Route 44. This would make room to put the eastern most warehouse in the northwest corner. This would leave the 12 - 20 Montello residences intact. The only two reasons I can come up with for the proposed configuration are arrogance and cruelty.

I note that the plan was not developed for the Redevelopment Board or the Town of Carver, but for Route 44, LLC. As far as I can tell, R44LLC is showing zero (zip nada) consideration for the input from the residents and there is no indication that the town is using their influence (if they have any) over R44LLC.

As a nitpick, the northernmost road clips a corner of my property at 26 Montello. This is an unused bit of land that neither my tenant nor I care about, but there is a considerable rise where the access road is shown. Someone might want to actually look at the land. It would be easier to move the access road a few hundred feet to the west.

Bob Butler

## McCollem, Marlene

---

**From:** Lisa Maffioli <lisa.maffioli@yahoo.com>  
**Sent:** Saturday, June 04, 2016 7:02 AM  
**To:** Bob Butler  
**Cc:** Allen; Borofski; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Massingham; Meurin; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Tuscher; Winslow; Winslow; McCollem, Marlene  
**Subject:** Re: Vanessa Hangen Bristling, Inc.

Bob:

"Passionate Professionals"

Ha! Thanks for pointing that out!

Sent from my iPhone

On Jun 4, 2016, at 6:59 AM, Bob Butler <[robertbutler40@comcast.net](mailto:robertbutler40@comcast.net)> wrote:

All

The logo on the bottom left corner of the latest plan is VHB. (Vanessa Hangen Bristling, Inc.) Just for irony, I thought I'd send you their blurb on their "Who We Are" web page.

### Who We Are

#### Passionate Professionals

We are VHB. We're passionate about making meaningful contributions to the world through the work that we do. We're proud, yet humbled, to have been doing this for 35 years.

We're a team—1,250 strong—eager to deliver value by embracing our clients' goals, anticipating challenges, building lasting partnerships, and always providing a smooth ride.

Our passionate professionals include engineers, scientists, planners, and designers who partner with clients in the transportation, real estate, institutional, and energy industries, as well as federal, state, and local governments. Together, we work to improve mobility, enhance communities, and balance development and infrastructure needs with environmental stewardship.

## McCollem, Marlene

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**From:** Rick Jackson <rickjackson001@gmail.com>  
**Sent:** Saturday, June 04, 2016 10:44 AM  
**To:** McCollem, Marlene  
**Cc:** Rich; Tassinari; Meurin; Butler; Winslow; Cohan; Shea; Maffioli; Tuscher; Keniston; Keniston; Callahan; Hanson; Davis; Massingham; Moreno; Roussos; Rankin; Tassinari; Borofski; Winslow; Cole; Allen; Singletary  
**Subject:** Re: revised access plan for Carver Redevelopment Authority

Marlene,

Is there a revised property matrix showing the threatened properties and homes?

On Jun 4, 2016 5:55 AM, "McCollem, Marlene" <[marlene.mccollem@carverma.org](mailto:marlene.mccollem@carverma.org)> wrote:

Good Morning,

Attached is the plan that the CRA will be discussing at its meeting Monday night.

Thank you,

Marlene

## McCollem, Marlene

---

**From:** Karen Tuscher <karbrumer@me.com>  
**Sent:** Saturday, June 04, 2016 5:02 PM  
**To:** McCollem, Marlene  
**Subject:** Revised Access Plan

Dear Marlene,

Upon reading your email Saturday afternoon, my husband and I are very sadden and shocked to see the new maps. We were pleased to see our home on the maps at the last meeting. We thought maybe someone does care.

When people already have trials and face challenges in their life, it is very difficult to have this burden of someone being able to just take their home at any time they want to.

Karen Tuscher

Sent from my iPhone

## McCollem, Marlene

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**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Thursday, May 05, 2016 3:32 PM  
**To:** McCollem, Marlene  
**Subject:** Re: Concept plans for north carver urban renewal plan

One more suggestion.

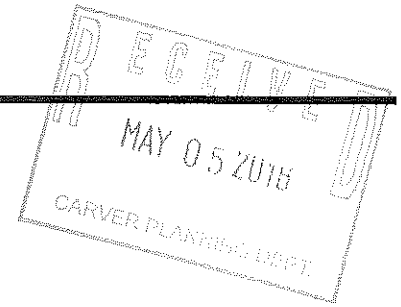
The C plans, the southern approach, currently drive an access road square through the middle of the 12 - 20 Montello Street residential properties. I might suggest looking into a D plan that has the southern access road go near the current Off Montello, following the western side of the Plan B loop, but not turning east to link again with the current Montello Street. This would keep the 12 - 20 Montello Street properties intact while routing the new development area traffic entirely away from the residential areas of Montello Street. In the extreme, if Plympton could pave their portion of Montello Street, I could see blocking off Montello Street entirely just north of Off Montello, not allowing direct access between the development area and residential areas at all. This might be a bit extreme, but it would be one way of keeping the school busses and heavy trucks completely apart.

Bob Butler



**McCollem, Marlene**

**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Thursday, May 05, 2016 10:29 AM  
**To:** McCollem, Marlene  
**Subject:** Re: Concept plans for north carver urban renewal plan



Marlene.

I am still liking the "B" plans, but note one of the access roads in the B plans barely clips a corner of my property, 23-3-2. While I am quite willing to let go of my back acres to allow this, if the redevelopment people could shift things just a little bit to the west this complication might be removed. I just figure we have enough complications?

I'd add that while for the most part the development area is quite flat, there is a sand ridge running along the south and west edges of my property, 23-3-2. This ridge was created by the sand pit sand harvesting. They were not allowed to take sand within 100 feet of the property line. Thus, driving the access road through 23-3-2 will involve moving quite a bit of sand. For economic reasons as well as political, moving the access road a bit to the west would be practical.

I seem to have heard that no one intends to take any Map 23 properties. Some people have not heard this, more through a refusal to listen than because the Project Area Parcel Listing is unclear.. I am reminded of Cato the Elder, who for a time during the Roman Republic era ended all of his speeches "Carthridge must be destroyed." Next meeting you might want to press "Map 23 properties are not being taken" in the same way, though I'm not sure that some of the Heather's Path people are listening at all. I'd recommend someone say it clearly and repeatedly.

The redevelopment people might also consider showing the two small Phase 2 R&D / Light manufacturing buildings in the northwest part of the site, rather than the northeast near Heather's Path. If the Heather's Path people might be likened to a bear, do not prod the bear.

Bob Butler

On May 3, 2016, at 11:33 AM, McCollem, Marlene <[marlene.mccollem@carverma.org](mailto:marlene.mccollem@carverma.org)> wrote:

Hello:

I am attaching the various concepts that have been developed based on the input that the Redevelopment Authority received at the April public meeting.

These will be viewed by the Board of Selectmen at this evening's meeting.

Thank you,

Marlene

Marlene V. McCollem, AICP  
Director of Planning & Community Development  
Town of Carver  
108 Main Street  
Carver, MA 02330

## McCollem, Marlene

---

**From:** Melissa Singletary <mcantin413@gmail.com>  
**Sent:** Wednesday, May 04, 2016 10:33 AM  
**To:** Lisa and John Allen  
**Cc:** Bob Butler; McCollem, Marlene; Borofski; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Moreno; Rankin; Rich; Roussos; Shea; Tassinari; Tassinari; Tuscher; Winslow  
**Subject:** Re: Concept plans for north carver urban renewal plan

Lisa,

We completely understand and respect your decision. We will leave your home and property off what we are fighting for. Ultimately you would be surrounded by buildings on three sides and no one would want to live with that. The other two properties have more of a buffer to this development, whereas you did not.

Good luck with your future plans, we all wish you the best.

On Wed, May 4, 2016 at 10:13 AM, Lisa and John Allen <[johnlisaallen@yahoo.com](mailto:johnlisaallen@yahoo.com)> wrote:

Yesterday at town hall ,we had the opportunity to view and discuss the additional plans for consideration. We were happy to have the opportunity to discuss our preliminary concerns and feel that the town is very concerned with getting the right information to us.

The road way construction is obviously a very vital part of this plan.

We would like to see a plan that does not include our property (20 Montello) "saved".

Forcing us to live within a roadway system to an industrial complex is cruel and our home will no longer be an investment - it will be a financial burden. The area of course will forever be changed and the reasons why we live here now will no longer exist. We understand and respect that our neighbors may have a different point of view and personal reasons for being okay with a design that includes their property as being untouched. We would never think less of them for having their own personal reasons.

This is a very difficult position to be in. It's a project that impacts the entire neighborhood and town yet personal and personal financial considerations are at the heart of a family property and home. This project forces us to be outspoken and public with things that we normally would not have to.

I completely understand and empathize with the distrust and concerns associated with the area/property in question. It has never been handled with community concerns held in high regard. I hope this new development will be one of integrity and finally clean up that area.

Lisa Allen

On May 3, 2016, at 12:43 PM, Bob Butler <[robertbutler40@comcast.net](mailto:robertbutler40@comcast.net)> wrote:

I note that Plan B.A avoids taking residential properties in the 12 - 20 Montello Street area. I'd encourage that Plan B.A be given extra consideration.

Many of the plans involve light manufacturing buildings in my property, 23-3-2, which is white on the Parcel Listing. I was under the impression that my plot (or any white plot) couldn't be taken without restarting the whole planning process? I am willing to let go of my back acres to make the light manufacturing buildings happen,

## McCollem, Marlene

---

**From:** Lisa and John Allen <johnlisaallen@yahoo.com>  
**Sent:** Wednesday, May 04, 2016 10:13 AM  
**To:** Bob Butler  
**Cc:** McCollem, Marlene; Borofski; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Tuscher; Winslow  
**Subject:** Re: Concept plans for north carver urban renewal plan

Yesterday at town hall ,we had the opportunity to view and discuss the additional plans for consideration. We were happy to have the opportunity to discuss our preliminary concerns and feel that the town is very concerned with getting the right information to us.

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We would like to see a plan that does not include our property (20 Montello) "saved".

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I completely understand and empathize with the distrust and concerns associated with the area/property in question. It has never been handled with community concerns held in high regard. I hope this new development will be one of integrity and finally clean up that area.

Lisa Allen

On May 3, 2016, at 12:43 PM, Bob Butler <[robertbutler40@comcast.net](mailto:robertbutler40@comcast.net)> wrote:

I note that Plan B.A avoids taking residential properties in the 12 - 20 Montello Street area. I'd encourage that Plan B.A be given extra consideration.

Many of the plans involve light manufacturing buildings in my property, 23-3-2, which is white on the Parcel Listing. I was under the impression that my plot (or any white plot) couldn't be taken without restarting the whole planning process? I am willing to let go of my back acres to make the light manufacturing buildings happen, but I'd also like to see the ridge along the south side of 23-3-2 intact to separate the commercial and Heather's Path residential area. I'm willing to talk about this at the appropriate time.

I am concerned that all of the plans seem to be putting a warehouse on top of a location where the current land owner is already doing site prep work for a project well past the 'build it and they will come' phase. I hope he is in the loop?

## McCollem, Marlene

---

**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Monday, May 02, 2016 6:25 PM  
**To:** McCollem, Marlene; Allen; Borofski; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Maffioli; Massingham; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Tuscher; Winslow  
**Subject:** A few rambling thoughts on the North Carver Urban Renewal Project

All

I recently visited the Carver Town Hall and acquired maps showing the location of the properties in the urban redevelopment zone. I also spoke with Marlene McCollem, who clarified the color key on the property list she sent out recently. The blue 'to be acquired' properties include both Phase 1 and Phase 2, and are the only properties that are intended to be taken at this time. The white properties cannot be taken as part of the current plan without restarting the whole planning process. They have enough on their plate already that this is unlikely in the short term.

Looking at the maps, I shall state some personal opinions.

### Map 20

Map 20 for the most part covers the former sand pit area. Just about all of Map 20 north of Route 44 is in the blue 'to be taken' category. This is for the most part barren unused 'blighted' land. It is not unreasonable that this land be taken and aggregated.

Two possible exceptions.

Walsh Commercial Properties was recently granted a permit to begin site prep work on 20 - 2 - 1, 30 acres that once held the sewer treatment plant. It does not seem reasonable to grant them a permit to improve their land, let them spend money on it, then seize the land. If they intend to build something taxable on that property, by all means let them do so? I believe this land is designated for a Phase 2 research and light manufacturing project. It doesn't make sense to me to take land being actively developed by a current owner then give it to another unidentified hypothetical owner.

There is a cell phone tower on the back of the Route 44 Development property, plot 20 - 2 - 0. This is the big 127 acre property once owned by Mr Whitworth. This is the centerpiece property, suitable for development. I'm just assuming there won't be a need to take out the cell phone tower?

### Map 23

Map 23 includes one large 6.3 acre property (mine) and two small back yards for homes on Heather's Path. None of these Map 23 occupied residential properties are currently listed as being targeted for eminent domain. The 6.3 acre plot, 23 - 3 - 2, includes a sand ridge topped by pines that provides a visual and sound barrier between Heather's Path and the sand pit. If the town made it clear that they do not intend to take any of the Map 23 residential properties, this might start to answer some of the objections from the Heather's Path people, not to mention myself.

### Map 22

Map 22 covers the area along Montello Street between Dunkin Donuts and the entrance to the sand pit. One parcel, 22 - 11, is a 40 acre plot that is partially barren though it contains some bogs. It seems to me that with some thought the taking of homes could be eliminated without significantly reducing the amount of land made available for development. My ideas for doing so may be naive. I haven't looked hard at the traffic aspects. Still, I'd like assurances that someone is trying to think it through. I understand an updated plan is to be presented to the selectmen tomorrow evening.

End of rambling.

Bob Butler

## McCollem, Marlene

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**From:** Melissa Singletary <mcantin413@gmail.com>  
**Sent:** Monday, May 02, 2016 2:45 PM  
**To:** Bob Butler  
**Cc:** McCollem, Marlene  
**Subject:** Re: Development Plan Concerns

Thank you Bob. I look forward to seeing your emails after you have looked at them. However, considering how this process has gone so far, I am reluctant to "trust" anyone at Carver Town Hall's offices.

Marlene- if our property is never to be taken, then take it off the list. Simple. We want no affiliation with this hair-brained scheme.

On Mon, May 2, 2016 at 2:33 PM, Bob Butler <[robertbutler40@comcast.net](mailto:robertbutler40@comcast.net)> wrote:  
Melissa

I just visited Carver Town Hall. I got maps from the assessor's so I can figure out exactly where each property is. I may be e-mailing something out in the next few days. I also spoke briefly with Marlene McCollem about the blue / white key on the URP Parcel Listing.

Blue is both Phase One and Phase 2, all properties currently being planned for acquisition.

The white properties are in the development zone, but not part of currently planned developments. There is no current intent to take white properties. The planners are part way through a somewhat messy bureaucratic process. Taking white properties would require them to start all over again. This is possible but unlikely. The primary focus should be on the blue properties.

Marlene

If the above is inaccurate or requires clarification, please do so.

Bob Butler

> On May 2, 2016, at 10:15 AM, Melissa Singletary <[mcantin413@gmail.com](mailto:mcantin413@gmail.com)> wrote:

>

> Hi Bob,

>

> On the list of properties that Marlene sent we are listed, which means our properties are being eyed for further stages of development. Did you attend the meeting on April 13th? We were told there that the first 12 properties (highlighted on the list) was for phase one and the remaining 16 (the rest on the list) is for phase 2.

>

> Thanks.



## McCollem, Marlene

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**From:** Bob Butler <robertbutler40@comcast.net>  
**Sent:** Saturday, April 30, 2016 5:21 PM  
**To:** McCollem, Marlene; Allen; Borofski; Callahan; Cohan; Cole; Davis; Hanson; Jackson; Keniston; Keniston; Massingham; Moreno; Rankin; Rich; Roussos; Shea; Singletary; Tassinari; Tassinari; Tuscher; Winslow  
**Subject:** Development Plan Concerns

All

I've owned property near "The Great Sandpit of Doom" since the early 90s, 26 Montello Street. It has not been an ideal neighborhood. I had a sand and gravel operator take sand off my property, though he was supposed to maintain a 100 foot untouched boundary. There was a time when town officials seeking tax revenue was seeking any opportunity to bring in as many dumps to the area as they could, not to mention the sewer treatment plant. More recently the area has become a designated criminal zone, a rural red light district. The police had to harvest pot trees being grown adjacent to my land. My tenant was solicited by a guy driving through the area who assumed any female sitting by the side of Montello Street must be a prostitute. She was actually waiting for her elementary school age girl's school bus. My tenants also were also bounced back and forth between the police and health departments when they tried to find out who was responsible for cleaning up all the discarded syringes littering parts of the pit. Answer? It was the other department's responsibility.

At the April meeting there was a great deal of hostility directed at the town officials. It was vehement, obstructionist, hostile, uncompromising and not productive. It was also very much deserved. The Great Sandpit of Doom area has been dumped on by the town, literally, for decades. Current town officials ought to be very aware that there is a solid historical basis for the hatred and distrust coming from the local residents.

That being said, I for one would like to see some sort of legitimate development in the area. If there is none, the area will remain a designated criminal zone.

Some specific concerns.

In recent meetings the locals have repeatedly expressed concern about traffic risks resulting from the Dunkin Donuts / Montello Street intersection. In the first meeting authorizing preliminary site prep near the old sewer plant, we were told the issue wouldn't be discussed until the larger long term plan was presented. In the more recent meeting where the larger long term plan was presented, the argument as I heard it was that the state doesn't require traffic planning this early in the development cycle, therefore they were not going to tell the residents anything.

I did note significant changes in the roads accessing the pit, some of which changes requiring the taking of land. No one from the town seem prepared to discuss the logic or details of the changes. I am concerned with keeping the school buses and heavy trucks separated as much as possible. I am very curious as to just how many sets of traffic lights might be required on Route 58 to make the new roads work. I would very much like a presentation by a professional traffic engineer sooner rather than later. This is a valid area of concern, and continued evasion and delays on the town's part will only fuel the hostility.

In terms of new development, we have one bird in the hand. There is site prep work being done near the sewer plant site. The owner has something in mind and is working to make it happen. He is being very secretive about what exactly he has in mind, which is making some people nervous to hostile. However, as I read the documents coming from the Redevelopment Authority, it looks like the town is ready to size land from the bird in the hand in order to offer it to a bird in the bush? Am I reading the documentation wrong, or is the town really intending to block the only development that actually has an actively working developer? If not, might the master plan be updated to reflect that what has been started will be allowed to continue?

The impression I got from the April meeting is that the current Phase One plan is a Home Run plan. The planners are swinging for the fences. They are assuming they will find an ideal developer who will want to use every bit of land that might possibly become available, including land that can only become available by pushing people out of their homes. In fact Home Run Developer LLC does not exist. The planners just want to attract the largest potential developer possible, and to do that they have to announce an intent to seize homes.

If they cannot find a Home Run Developer, will they be satisfied with a Triple or a Double? I am concerned that in trying to swing for the fences they will strike out. If a developer with more modest needs become interested, is there a willingness to scale back some, to avoid some of the property seizures? If no Home Run developer shows interest, how long will the land continue to sit idle? The April plan is hardly the first proposed development for the site. Plans often start out optimistic and ambitious, yet the Pit is still a desert.

End of rambling. If anyone would care to respond to the above before the next meeting, it might save time at the next meeting.

Robert Butler

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To the Carver Redevelopment Authority

Sirs

I recently attended your meeting of April 13th. I have a few thoughts, many of which I shared in the meeting, which I'd like to share.

First, I would like to see something done with the 'Great Sandpit of Doom'. I would rather have someone reputable in there rather than the pushers and prostitutes of recent years. I'd like to see taxes come down some. The (expletive deleted) living on Heather's Path are emphatic, but their opinion is not universal.

Between old dump proposals and a previous owner of the property taking sand from my property when there was supposed to be a 100 foot buffer, I can very much understand how a history of bad blood has developed. The attitude of the Heather's Path residents is shrill and not helpful, but it developed with some cause. There is history behind it that isn't going to go away.

I am dubious about the plan you presented. The big million square foot building is sitting where a developer already has smaller plans. As I understand it your desire is to put as large as possible a development possibility into the state data base. If someone wants to put in something big, it does seem desirable to claim the site can handle it. It does not seem appropriate, however, to offer up as available what is not available. You may wish to consider a plan which may have to take land for the access road, but does not feature taking away people's homes (or threatening to do so) to build buildings that no one has yet to express a desire for.

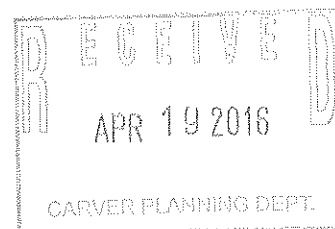
As you are hopefully aware, there is a great deal of concern about the Duncan Donuts intersection. You might consider getting a traffic engineer to ready a fairly detailed plan and present it at the next meeting. This seems like a problem that could be solved, one source of friction that could be cleared up some. At first look, I like the notion of separating Duncan Donuts and Montello Street entirely. Still, there are a lot of entries and exits onto route 58 that seem to beg for traffic lights. (Old Shaws, Montello Street, Duncan Donuts / New England Farms, Route 44, New Shaws) These are located close enough together that one controller will likely want to handle multiple sets of lights. I for one would like to hear preliminary thoughts on how this ought to be done. An answer that the state requires a study to be done at some future time does not seem satisfactory from a PR perspective.

My property is 26 Montello Street, in Carver, but right on the Plympton border. It is a long slender 6 plus acre property, most of which I am not using. If the hypothetical R&D and light industry building should find a developer who wants something a little larger than would otherwise fit, neither myself or my tenant would object to letting go of some land away from Montello street. I don't expect or ask that you push to make this happen, but you might keep it in mind if that part of the plan ever becomes real.

There was mention in the meeting of a Facebook page that discusses the development. If you could provide a name or a URL that I might visit, I'd appreciate it.

I visited the Carver Town Hall web page, and could not find e-mail addresses to contact you. There was also talk of an e-mail list for those concerned, that we might be made aware of updated plans and future meetings. I would appreciate it if you followed up on improving communications with the locals.

Bob Butler



## McCollem, Marlene

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**From:** Lisa and John Allen <johnlisaallen@yahoo.com>  
**Sent:** Wednesday, April 13, 2016 9:56 PM  
**To:** McCollem, Marlene  
**Subject:** Email and contact info

Hello Marlene,

We attended the urban renewal plan discussion tonight and did not put our email address on the sign in sheet. I wanted to make sure you have it.

Thank you for answering our questions.

John & Lisa Allen  
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Carver, MA  
(781) 831-1655  
johnlisaallen@yahoo.com