



Meeting Minutes for January 17, 2023, at 6:30 PM,

This meeting was held in person, in meeting room #4 at the Carver Town Hall

This meeting is being videotaped and rebroadcast by Area 58 TV.

Attendees: Sharon Clarke, Chairman; Savery Moore, Vice Chairman; Johanna Leighton, Member; Roger Noblett, Member

Also in attendance: Brian Abatiello (for Wade Street); Paul Kelly

Absent: Patrick Meagher, Treasurer

Meeting opened by Ms. Clarke at 6:35 PM

Discussion and possible vote(s):

- Rte. 44 Project update

- ATM Update – Ms. Clarke – Rte. 44 went before the Planning Board to rescind the old plan and to have a new perimeter plan. You can see that plan on the Town Hall Website under Planning. The Planning Board made minor conditions such as proof of ownership of some of the smaller parcels. The Planning Board also required proof that there were no mortgages. They met those conditions and the Planning Board approved the preliminary subdivision/rescission plan. I believe that would lock in the current zoning, including what was passed last year. This is being discussed at the Selectboard meeting tonight. Mr. Moore will head up to that meeting before 7PM. I did send an email to Mr. Bott and Mr. Fennessey with my concerns over tonight's Selectboard discussions. I originally thought the discussion was for the building height but have since learned that it is for all of them. I don't feel there is reason to rescind the zoning change for Commercial lots to Green Business Zone, etc. Mr. Noblett – What is the rationale for height? Ms. Clarke – They feel there is no reason to go forward as Hillwood is no longer in the picture. These changes make this site more attractive to the current marketplace. Financing may have changed but nothing about what we did then was specific to Hillwood. The perception is that they were only meant for Hillwood. Ms. Leighton – This is a blueprint; we need our RDA rep at that meeting. Mr. Noblett – There is no way to get Hillwood back? Ms. Clarke – That is a discussion between Hillwood and Rte. 44 Development. Hillwood is not pursuing due to economics and the lack of extension from Rte. 44 Development. Hillwood has assured me that they are out; they are building in Middleboro.

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6:50 – Mr. Moore departed for the Selectboard Meeting.

- Ms. Leighton – While on the Rte. 44 website, I realized that the land that was on it for sale needed to be removed. Paul has done that. On the Carverda.info home page, our mission language seems off. Mr. Kelly – Mr. Moore had me remove the Hillwood section. My recommendation was to leave the domain and hosting until a decision is made down the road. Ms. Leighton – Prior to November 2 we need to have a discussion on whether we keep it (prior to next payment). Mr. Kelly – The wording was a discussion with Mr. Moore. What you see there is a direct copy of what Mr. Moore sent to me. Ms. Leighton – We need to fix that. Mr. Noblett – We archived all the information, right? Mr. Kelly – It can be reassembled. It is separate from the Town one, which is what was requested. If you are referring to the link at the end of the website questions and the government page, the link at the end would be easy to eliminate. Ms. Clarke – We will talk to Mr. Moore and figure it out. Mr. Kelly – In the meantime, I can get rid of that link.

Motion to have Mr. Kelly delete that link until this is resolved: Ms. Leighton

Second:

Ms. Clarke - No motion needed. We can confirm with Mr. Moore what the intent was.

- Wade Street

- Update on Conservation Commission Meeting on 1/4/2023 – Ms. Clarke – They needed the Public Hearing. The Conservation Commission is amenable and will vote to accept the parcel contingent on a survey.
- Borden Survey – Art Borden is doing the survey. I asked that if he did see an encroachment that he make a note of distance to lot line. He will do the boundaries (8 corners) and I asked him to show the building (possible encroachment) Ms. Leighton – What is number 2, prep 81? Ms. Clarke – It is particular notations to accommodate Conservation. I would like a motion to formally authorize Mr. Borden to move ahead with the survey. Mr. Noblett – Wasn't the Conservation Commission going to pay for this? Ms. Clarke – That's not the money they are looking for. They have money in an acquisition fund that we can look to for reimbursement after the survey is complete. This is something we have to do regardless. After the plan is drawn, Kathleen O'Donnell will work with us on the deed and preparing a recordable deed for the Conservation Commission. I go back to the Conservation Commission on 2/1/23. We will continue it until I have the mylar.

Motion to approve the survey to be completed by Art Borden for the Wade Street Property, including boundaries and benchmark: Ms. Leighton

Second: Mr. Noblett

Approved: Unanimous (3-0)

Brian Abatiello -15 Wade Street – You used the word Contingent. What is it contingent on? If there is an encroachment, will it stop the process of the Conservation Commission taking the property? Ms. Clarke – It is my understanding that the Conservation Commission cannot accept a parcel and then subdivide it. If there is an encroachment, the RDA would talk to the abutter, who is encroaching. If there is indeed an encroachment, in discussion amongst this Board and with Savery, The party that caused the encroachment may be able to us our plan to parcel off a little piece that we will sell to them. Then we have the second plan, which can be donated. If there is an encroachment, we have to take care of the encroachment. There will be other options, they can give us the building, they can move it or they can tear it down. Mr. Abatiello – So we aren't talking a legal transfer for like one dollar? Ms. Clarke - That's something that we have to discuss amongst us. We would have to spend \$2k + on an appraisal on that piece. Mr. Abatiello – We don't want to set a precedence on that. Ms. Clarke – That is a really good point and we will keep that in mind. It is important that we know the extent of the encroachment.

Ms. Leighton – At the last meeting, I detailed what we had spent already. I indicated that I would go to Kathy Kay for confirmation of back taxes. The amount that is owed is \$16,836.17. Would The Conservation Commission be responsible for that and pay the back taxes? Ms. Clarke – I will look into that to see if that would apply in this scenario. We are just transferring from one commission to another commission. Mr. Noblett – If there is an encroachment wont the encroachers owed the taxes on that portion? Ms. Clarke – That is a good point. This is an entirely different scenario. I don't know how to answer that. I would have to check the property card. Ms. Leighton – They are paying taxes on their shed that is on their property, but not the shed we are discussing. Ms. Clarke – I will discuss it with Kathleen O'Donnell. Mr. Abatiello – That sounds like a fair deal for the encroacher to buy that piece. If the conversation got to an unreasonable point, then I understand that you would have to move that building. Ms. Clarke – If it came to that, they could use our \$9000 survey as a basis and parcel off a conforming piece. If it's not 10' from our property line, they will have to go before the zoning board.

- Topics not anticipated by the Chair 48 hours in advance of the meeting

Nothing tonight

Members Notes:

- Sharon Clarke – Nothing additional
- Savery Moore – Not present
- Pat Meagher - Absent tonight
- Roger Noblett – Nothing additional
- Johanna Leighton – Our Treasurer is on vacation but we discussed the balance. When he comes back, I want some clarity on the \$4K deposited under the URP. It is my understanding that it should be held in an interest-bearing account, not in the URP. It should be transferred with the exact amount on the deed We should check with Kathleen O'Donnell.

Minutes:

Meeting – 11/29/22 - Postponed, No quorum (Mr. Noblett was not in attendance for the 11/29 meeting)

Next Meeting:

Next Meeting will be held on February 21, 2023 at 6:30 PM.

Adjournment:

Motion to adjourn at 7:25 PM: Ms. Leighton

Second: Mr. Noble

Approved: Unanimous (3-0)