



TOWN OF CARVER

Planning Board

Bruce Maki, Chairman

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Minutes of the July 14, 2020, Carver Planning Board

Members present: Bruce Maki, Chairman, Kevin Robinson, Ellen Sordillo, John Gaskey, Cornelius Shea.

Absent: Richard Dionne, Associate Member

Staff: Jim Walsh, Planning Director

Meeting started at 6:30 pm. Mr. Maki stated that the meeting will adjourn at 7:00 pm for training.

Introduction of New Members

Mr. Maki introduced the new members of the Planning Board: Ellen Sordillo, Cornelius Shea, and Richard Dionne, Associate Member. Mr. Maki mentioned that Mr. Dionne was absent because he was stricken ill over the weekend and extended wishes for a speedy recovery.

Reorganization of Board

Mr. Maki turned over control of the meeting to Kevin Robinson as acting chair. Mr. Robinson opened up nominations by a motion to appoint Mr. Maki as Chairman, seconded by Mr. Shea. Mr. Shea nominated Kevin Robinson as Chairman, seconded by Mr. Gaskey. Mr. Robinson asked for a vote on Mr. Maki as chairman and it was voted unanimously to appoint Mr. Maki as Chairman.

Ms. Sordillo made a motion to appoint Mr. Robinson as Vice Chairman, seconded by Mr. Shea. It was voted unanimously to appoint Mr. Robinson as Vice Chairman.

Mr. Robinson made a motion to appoint Ms. Sordillo as Secretary, seconded by Mr. Shea. It was voted unanimously to appoint Ms. Sordillo as Secretary.

ANR Plans

1. 16 Indian Street-Application of ADGA Realty, LLC-Matthew Grosschedl-Outback Engineering

Mr. Grossshedl presented the plan. All lots have frontage and meet the minimum lot area. There are easements to protect the cranberry bog.

Mr. Maki asked Mr. Walsh for comment. He said that the lots met the minimum frontage and lot size. Mr. Maki said that he and Mr. Walsh reviewed the plans, the lots have frontage on a public way and meet the frontage and square footage requirements. The plan shows the dimensional setbacks from the property lines. The plan looks fine.

Mr. Maki asked if other members had comments. Mr. Shea if the lots would be residential. Mr. Grosschedl said yes. Mr. Shea asked if a notice of intent has been with the Conservation Commission.

Mr. Shea-Asked if the property was going to be residential. Mr. Grosschedl-Yes. Mr. Shea-Have you applied for an Abbreviated Notice of Intent yet through the Conservation Commission yet? Mr. Grosschedl-We have an ANRAD for the wetland line. Mr. Shea-I am going by the rules here. It says that an Abbreviated Notice of Intent is required prior to obtaining an endorsement of a plan for Approval Not Required. Is it done or has it been applied for yet? Mr. Grosschedl-We have the ORAD-Order of Resource Area Delineation from the Conservation Commission. Mr. Shea-Have you applied for a Notice of Intent yet from the Conservation Commission? Mr. Grosschedl-No. Mr. Shea-You haven't applied for a Notice of Intent yet? Mr. Grosschedl- No, we have not. We are not doing any work yet. Mr. Shea-You haven't received approval yet from the Conservation Commission. A lot of this area is within the 100 foot and 65 foot no build zone. I don't see how we can approve this because you haven't received approval of the Conservation Commission.

Mr. Maki-The Planning Board is concerned about the frontage and lot size. Wetlands are a concern of the Conservation Commission.

Mr. Shea-They must apply for an abbreviated notice of intent and be approved by the Conservation Commission before they can apply for an ANR. Mr. Maki-That's not part of the by-laws. Mr. Shea-Its under 4.2.2 and section 12 of the by-laws. I am looking for clarification.

Mr. Gaskey-The regulations also require referral to the police, fire, public works and conservation commission.

Mr. Maki-Mr. Walsh do you have anything? Mr. Walsh read from section 4.2.2 of the by-laws stating that the abbreviated notice of intent needed to be applied for.

Mr. Shea-Other than the abbreviated notice of intent, this plan does the other requirements.

Mr. Maki-are there any other questions? In order to satisfy Mr. Shea, we can approve the plan on the condition we receive a copy of the abbreviated notice of intent.

Motion: Mr. Robinson-Approve endorsing plan subject to obtaining abbreviated notice of intent from Conservation Commission. Second: Shea

Voted unanimously to endorse ANR plan with condition to obtain abbreviated notice of intent. Mr. Walsh-The endorsed plan will be held in the office until the abbreviated notice of intent is received from the applicant and sent to all members.

2. Pine Street-ANR and Rear Lot-Application of Edaville Land Holdings LLC—Arthur Borden, Arthur F. Borden & Associates, Inc.

Mr. Maki asked Mr. Borden to present the plan. Mr. Borden-First Colony purchased two lots from the Heikkula family, which are located across Pine Street from Edaville Railroad. There are four lots. Three of the lots meet the 150- foot frontage and area requirements. The fourth lot is a rear lot and we filed the necessary paperwork for the rear lot determination. We have filed a notice of intent with the Conservation Commission because of the two bogs and reservoir. The approval is to determine whether the lots fall under the subdivision control law. We need the approval as we have filed for a Notice of Intent with the Conservation Commission and we will be filing for building permits.

Mr. Maki asked for Mr. Walsh comments. Mr. Walsh-Neighbors had come into the office asking about the plan and wondered if a solar project was going to be built on the property. I showed them the Conservation Commission filing, which showed four house lots being proposed with two commons driveways and easements providing access to the four house lots. Lots 1 & 2 would share a common driveway and Lots 3 & 4 would share a common driveway. Mr. Walsh said he spoke with the Building Commissioner whether the driveways met public safety access requirements. The applicant would have to come back to the Board after the Conservation Commission makes a determination on the driveways within the 65-foot resource area and prior to obtaining a building permit to be approved for the driveway access.

Mr. Maki-Mr. Walsh and I have reviewed the ANR plan and I am okay with this.

Mr. Shea-Read the frontage definition from the Zoning By-Law. The plan uses a private way to access the lots. The private way must get approved by the safety commission and if there is an emergency on the on the lots it would be too much to overcome.

Mr. Maki asked Mr. Borden if he had a response. Mr. Borden-These are not private ways, they are access easements. We did the same thing on Meadow Street. The lots there share an access easement that service both houses. Mr. Maki-Did the Fire Department look at that? Mr. Borden-Yes. All that comes further down the line when you apply for a building permit. If Conservation does not approve we have the option to propose individual access to each lot. Your purview under ANR is not to determine whether we have a buildable lot, we have the right to divide the lots.

Mr. Shea-According to Section 2342 of the by-laws there is no direct access to the building site from the frontage. Mr. Maki-Anyone can divide a lot-they are not proposing dwellings now and don't have to show access. What they have to show is they meet frontage and minimum lot size. Mr. Shea-In order to be approved it has to meet the frontage definition. Mr. Borden- I disagree. We have a right to create lots. Mr. Shea-you have a right to create lots but they have to meet frontage.

Mr. Maki-Are there any other questions? I'll entertain a motion to approve endorsing the ANR plan.

Motion: Ms. Sordillo Second: Mr. Robinson

Voted in approval: Maki, Sordillo, Robinson. The motion is approved 3-2.

Mr. Maki asked that the remaining agenda items be table until the July 28 Planning Board meeting as the Board is participating in a training at 7:00 pm.

Motion by Robinson to adjourn. Second by Gaskey. Motion approved and adjourned at 7:05