

CARVER PLANNING BOARD  
MINUTES OF JUNE 28, 2022

Approved 8/9/22

Chairman Cornelius Shea, John Gaskey (remote), Kevin Robinson, Ellen Sordillo, Richard Dionne, Donald Williams and Thomas Bott, Town Planner.

Meeting was called to order at 7:04PM

Pledge of Allegiance is recited.

The proceedings will be videotaped and rebroadcast by Area 58 TV

**ANR:**

1. To create one (1) parcel from (Assessor's Map 14 Lot 10-0-R) located at 26 Walker Road. Joe Webby of Webby Engineering represents the applicant and addresses the board. He indicates Carver Road is currently a private road that is completely encompassed by the lot lines, is paved and being maintained by the DPW. The road is very narrow with its widest point being 12 feet – not enough for two cars to pass beside each other. Mr. Dionne considers the road more of an easement. Mr. Shea points out there is a significant drop off along the road, frontage is a problem and there are other safety issues. The owner of the property addresses the board indicating he wants to build a home for his son on the property.
- Chairman Shea will accept a motion. Kevin Robinson makes a motion to endorse the plan for 26 Walker Road and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's nay, Cornelius Shea vote's nay, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Approved 3-2-0.

**Public Hearing Cont'd:**

2. On the application of E & S Holdings, LLC. requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 5300, 2330 and 2230 of the Carver Zoning by Law, located at Off Spring Street, Lot #1, Ricketts Pond Business Park (Assessor's Map 32 Lot 1-1 & 1-2) in Carver, MA. The project will consist of the construction of three commercial buildings located at Lot #1 – Ricketts Pond Business Park located off Spring Street. The lot will be comprised of three commercial buildings with associated driveways, parking areas, closed-drainage system, septic system and utility connections.

Alan Loomis from McKenzie Engineering addresses represents the applicant. He speaks about issues raised in Andy Glines letter, which were the slope and retaining wall in the rear of the site. They have made changes to the plans. He shows the plan and goes over the changes. They moved the wall out from the slope, lowered the wall, shifted the location of the cistern, which is now 25,000 gallons, and will plant wild flowers and vegetation on the slope. Mr. Bott states they are required to have a structural engineer to work on the project. Andy Glines states a condition should be if the plan is approved they will have to get a building permit. He also indicates they will have to have an erosion plan. Mr. Shea asks about screening from Spring Street and Mr. Loomis goes over in detail the landscaping proposed. Mr. Shea points out it would be a requirement to

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put in trees every 35 feet. The cistern is discussed in detail between Mr. Loomis and board members and he indicates the tank size and they will provide a review from a fire protection engineer regarding use on the site in case of fire. Mr. Gaskey is concerned about the cistern not being able to address a spreading fire due to high winds in the area. Dawn Egan from American Electrical addresses the board confirms the cistern is 25,000 gallons and the cistern design is horizontal which is adequate for the area.

Dan Ferrini from Carver Concerned Citizens speaks to the board indicating there seems to be an issue with the wells abutting the property and would like to have the wells checked and evaluated. Also, some of the wells have gone dry and also a pond in the area. They are concerned about future sites being developed and not enough water to support them. He would like the board to look into these issues. Mr. Shea indicates the board will look into this. Andy Glines would like a condition for additional testing be done at the two infiltration basins. Dorothy Polluck of High Street speaks to the board indicating she is concerned about water levels in the pond and vernal pool near her house. She would like to see a hydrologist evaluate this. She would also like to have the landscaping on the frontage done by a landscaper. Peter Opachinski, the developer of Ricketts Pond Business Park speaks to the board indicating this part of MA is currently under a draught warning. His company will do the landscaping. Joe Biedling from 277 Meadow Street speaks to the board indicating the access road is always filled with dirt, rocks and sand, there are many tractor trailer trucks to the point residents can't open windows during the day because of the dirt and sand coming in windows. Attorney Meg Sheehan speaks to the board and states she would like recent comments by Fuss & O'Neill posted on the town's website. She states there are concerns about the project effecting private and public water supplies and the board has not commented on the report she gave to the board, which was done by an expert hydrologist. She believes responding to the report is the board's responsibility. She indicates the developer started earth removal before the permit was issued and states this is illegal. Mr. Shea states the definitive sub-division was approved by a previous board. She asks the board to address the current conditions of the project and how it is having a detrimental impact on abutters and residents in the area. Mr. Shea will have Andy Glines review the hydrologist report submitted by Attorney Sheehan. Dan Ferrini indicates Mr. Bott has a conflict of interest with the developer since the developer and Mr. Bott have worked on over 200 projects before Mr. Bott's coming to Carver. Chairman Shea states Mr. Bott is just doing his job.

Dawn Egan, a 30 year resident of carver speaks to the board and points out water for the cistern can be trucked in. She is also worried about who is going to pay for the hydrological studies and doesn't want the citizens to have increased taxes because of this.

Chairman Shea will accept a motion to close the public hearing. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

Chairman Shea entertains a motion to approve the application of E & S Holdings, LLC. requesting a Special Permit and Site Plan Review. Mr. Dionne would like to discuss the

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water situation. Chairman Shea makes a motion to open the meeting for discussion. Richard Dionne makes said motion and it's seconded by John Gaskey. A discussion takes place between the board members and strategies to maintain adequate water for resident wells and monitoring ground water levels as well as information on the existing wells. Mr. Dionne makes a motion to approve Lot 1, Ricketts Pond Business Park off Spring Street and it's seconded by Kevin Robinson. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

3. On the application of Peter Sprague requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 5300, 2330 and 2230 of the Carver Zoning Bylaw, located at Off Spring Street, Lot #2, Ricketts Pond Business Park (Assessor's Map 32, Lot 1-2) in Carver, MA. The project will consist of the construction of two commercial buildings located at Lot #2 – Ricketts Pond Business Park located off Spring Street. The lot will be comprised of two commercial buildings with associated driveways, parking areas, closed-drainage system, septic system and utility connections.

Eric Shoemaker from McKenzie Engineering is present to represent the applicant. Mr. Robinson asks the Chairman if they could have well monitoring on the site and he says yes, it should be a condition so there will be a data point on upgrading the infiltration basins. The applicant is asking for a waiver from the 20 foot buffer, which is required to a 7 foot buffer. The board decides the buffers should be 12 feet and the applicant will comply. Attorney Meg Sheehan for Concerned Citizens of Carver speaks to the board and indicates she is worried about water supply for abutters and residents. She would like a professional hydrologist test the property for ground water and any issues with existing wells. She wants more details concerning the monitoring wells that will be put in so they can determine on a regular basis what is happening with the wells and the ground water. Peter Opachinski speaks to the board indicating a site walk was done by the conservation commission and they found no issues. He believes complaints about ground water problems are ridiculous. Andy Glines recommends an open face test bit to test for the minerals in the soil and depth of ground water, before and after construction. He also recommends monitoring wells, which should be maintained. Attorney Sheehan reads from page 6 of Mr. Horsley's February 2022 report regarding the water situation on the property. She is disturbed the board nor Mr. Glines have read this expert's report. Mr. Glines indicates he will review the report if the town wants him to.

Chairman Shea will accept a motion to close the public hearing. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

Chairman Shea will accept a motion regarding Lot 2 Ricketts Pond Spring Street Innovation District. Motion to approve, with conditions previously discussed, is made by Ellen Sordillo and it's seconded by Richard Dionne Discussion: The board discusses the process of reviewing the tested data from the monitoring wells. The board believes this should be done by the conservation commission and the board of health and Mr. Shea

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will discuss this with both bodies. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

**Other Business:**

- A. Planning Board Member Notes. None
- B. Planning Director Notes: None
- C. Discussion: Training will be provided for the alternate member, Donald Williams.
- D. Minutes:  
Minutes of 5/24/2022. Chairman Shea will accept a motion regarding the minutes of 5/24/22: Kevin Robinson makes the motion to accept the minutes of 5/24/22 and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.  
  
Minutes of 6/7/2022. Chairman Shea will accept a motion regarding the minutes of 6/7/22. Richard Dionne makes a motion to accept the minutes of 6/7/22 and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.
- E. Adjournment: Chairman Shea will entertain a motion to adjourn the meeting. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. A roll call vote is taken by Chairman Shea and Richard Dionne vote's aye, John Gaskey vote's aye, Cornelius Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

Documents for 6/28/2022 PB Meeting

ANR Application from Fernandes Brothers, Inc.

6/28/22 Memo from Town Planner Re: ANR Plan of Map 14-10-0-R located on Walker Rd.

Letter dated 6/23/22 from Alan Loomis – McKenzie Engineering in response to Andrew Glines memo for Ricketts Pond Business Park, Lot 1

Site Plans for Ricketts Pond Business Park, Lot 1 with plans

Letter dated 6/23/22 from Erik Schoumaker – McKenzie Engineering response to Andrew Glines memo for Ricketts Pond Business Park, Lot 2

Site Plans for Ricketts Pond Business Park, Lot 2

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Memo dated 6/13/2022 from Andy Glines to Planning Board re: RPBP Lot 2 Site Plan Review

Memo dated 6/13/2022 from Jesse Boyle to Thomas Bott re: site plan review – Lot 2 RPBP

Plans entitled “Site Development Plans – Lot 1, Ricketts Pond Business Park in Carver, Massachusetts”, revised June 23, 2022

Drainage Calculations & Stormwater Management Plan for Proposed Commercial Development off Spring Street, Carver, Massachusetts, Located Lot 1, revised June 6, 2022

Town of Carver, Application for Site Plan Review

Town of Carver, Application for Special Permit under the Zoning Bylaw

Letter dated March 2, 2022, to Planning Board Chairman, Mr. Bruce Maki from Alan Loomis, Project Manager with McKenzie Engineering Group.

ASD LED Wallpack product information, 1 sheet, not dated

Spill Containment and Management Plan, dated June 1, 2022

Closed Drainage System Calculations, dated June 14, 2022

Letter to Planning Board, Ricketts Pond Business Park, Lot 1 – Site Plan Review, dated June 6, 2022

Letter to Planning Board, Ricketts Pond Business Park, Lot 1 – Site Plan Review, dated June 23, 2022