



Town of Carver  
Planning Board

March 2, 2021  
7:00 PM  
CARVER TOWN HALL

Approved  
3/23/2021

The public is invited to attend; social distancing practices are in effect.  
The proceedings will be videotaped and rebroadcast by Area 58 TV.

Pledge of Allegiance

Members present: Kevin Robinson, Richard Dionne, Ellen Sordillo, John Gaskey, Bruce Maki, Cornelius Shea

Members Absent: None

Member participating remotely via Zoom: None

Others present: Jim Walsh, Planning Director, Paul Kostas, Sarah Stearns, Savery Moone, Fran Mello, Bob Belbin

Others present via Zoom: Sarah Hewins, Lucas Farias, Tom Godfrey

The meeting was called to order at 7:04 pm.

The Chairman reads the public hearing notice into record to consider Zoning Bylaw and map amendments to the bylaws:

The Chairman introduces matter to be withdrawn: To amend the Carver Zoning Bylaw by amending Section 2320, Table of Dimensional Requirements, Maximum Building Height (feet) to increase the maximum building height in the Green Business Park zoning district from 40 feet to 65 feet.

Jim Walsh states that at this time it is a big change. Mr. McGloughlan who represents the developer would like to give the town and developing time authority to answer questions/implications of the proposed development. Will likely come back at a fall town meeting to discuss further.

The Chairman entertains a motion to withdraw. Mr. Shea motions to withdraw, second Sordillo. The Chairman asks for further questions from The Board. The Chairman asks if the public has questions. Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.

Article VI, Definitions, definition of "Townhouse" to include two-family units or duplexes: Mr. Walsh states that when working with an applicant there was a discrepancy in what was in the



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bylaw itself. The goal here is to make the language and the townhouse development bylaw consistent. There is some discussion regarding the appropriateness of this change. Gaskey notes that when we are looking at the definition of the townhouse, the article that we are looking at is seeking to define the townhouse as covering multiple lots. The discussion is that we are talking about a complex, not a townhouse covering multiple lots. Would be defining the structure vs. the type of development. Mr. Walsh proposes that we cross out single lots or multiple lots. The Chairman opens this up to public comment. There is some discussion amongst the Planning Board.

Sarah Stearns: 26 Tremont Street. Asks for re-read of original vs. modified definition.

Robert Belbin: 26 Gate Street. This is a definition in Townhouse, the problem is we are including two-family units. Can we define two-family unit? There is no definition of this currently in bylaw. Mr. Walsh states that in the definitions section, there are definitions for dwelling, two-family.

Mr. Walsh suggests striking out "more than two". Clarifying two, but no more than five. Mr. Shea recommends that it reads "containing at least two, but not more than five *individual* dwelling units". Mr. Walsh notes that this is defined in the definition of "dwelling units".

The Chairman asks if there are any questions via Zoom. No questions.

The Chairman proposes we read the bylaw.

Townhouse shall mean a single building or group of buildings on a single lot containing two, but not more than five. dwelling units per building, created in accordance with the provisions for Section 3900, herein.

The Chairman entertains a motion to recommend amend Article VI Definitions of Townhouse Bylaw: Mr. Shea motions that the Planning board board recommend article VI to town meeting, Article VI should read as discussed. Mr. Gaskey seconds the motion.

The Chairman asks for a roll call vote. Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.

### Section 3700 Floodplain District of the Carver Zoning Bylaw by updating the Floodplain regulations:

Mr. Walsh notes that in the last year, they were proposing to update the maps, but because of COVID everything got pushed back. FEMA is very strict with the dates of their studies. Mr. Walsh took language from the state flood insurance office. The bylaw proposal is to replace with the language that is shown.

FEMA has updated the plymouth County flood insurance report and rate maps. The flood insurance office has requested that the town amend the maps to be current. The Chairman notes that usually this is something that the town automatically accepts because it is a study by FEMA.

The Chairman asks if there are further questions from the Planning Board.



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Mr. Shea looks for a clarification on a definition. Mr. Walsh will clarify with The State. Mr. Shea also proposes that the definition of "recreational vehicle" match the definition that we have written. The Chairman recommends that we look at this when we review the bylaws at a later date.

The Chairman asks for questions in the audience and/or via Zoom. No further questions.

The Chairman entertains a motion to recommend the Section 3700 Floodplain District to town meeting. Mr. Shea motions that the Board motions to recommend the Section 3700 Floodplain district. Mr. Robinson seconds the motion.

No further discussion

The Chairman asks for a Roll Call Vote, Shea, Gaskey, Maki, Robinson, Sordillo- 5-0 yes. unanimous.

### Section 5000 Non-Medical Marijuana Overlay District by allowing cultivation, processing, and retail uses to occur in both Non-Medical Marijuana Overlay Districts:

The Chairman introduces the matter. Overlay District in South Carver and North Carver. In South Carver, there are two retail store available in South Carver. We are looking to allow a retail store in North Carver. Mr. Walsh states that this is based on conversations with multiple marijuana developers, looking to allow the district to be more flexible with location. Also notes that you could argue that having them split might be a better thing for the town. Also of note- there are growers who would like to process marijuana but also have retail at the facility. Looking to be a little more flexible and leave it to the facility to propose within the district what they would like to do. Cultivation and processing is only allowed in North Carver right now- reasoning for this was that this would use the town water. The Chairman states that now it appears that they can do this with a single well on the property. Because of traffic, it was proposed having stores close to the highway. In hindsight, it might be better to allow these to split and go to North Carver as well. Looking to allow growth and agriculture in South Carver, and distribution in North Carver if there is interest.

Mr. Walsh also has some changes on the map as well. It was suggested to eliminate map 25 4, 4a, 4b, 4c, 5. Map 95 lot 6a- phantom lots with the concern that in the future if he assigns a parcel one of these map numbers. Looking to clean up the bylaw and eliminate these parcels.

The Chairman asks for further questions from the board/audience/Zoom.

Mr. Gaskey would like to see a map of parcels to be cleaned up.

The Chairman recommends that we continue this to the next meeting. Mr. Shea motions to continue to the next meeting, Ms. Sordillo seconds. No further discussion.

Roll Call Vote, Shea, Gaskey, Maki, Robinson, Sordillo 5-0-yes.



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Section 3500 Signs to reorganize the bylaw, to permit the Town Administrator to designate additional Town employees to assist the Building Commissioner in removing illegal signs, changing the process for removing illegal signs, and changing the footnotes from symbols to numbers:

Mr. Walsh reads recommendations. The Chairman notes that this was brought about because election/temporary signs were not being taken down quickly enough. Purpose is to allow for quicker removal make it easier for town clean-up. Allows the town DPW to clean-up the signs. Ms. Sordillo asks whether this applies to private property. Only if sign is illegal, notification process occurs, then if ignored town is allowed to remove.

The Chairman asks for further questions from the Board/audience/Zoom. No further questions.

The Chairman entertains a motion to recommend the article to town meeting. Mr. Robinson makes a motion to recommend that article to town meeting to amend Section 3500 Signs. Mr. Shea seconds the motions.

The Chairman asks for a roll call vote. Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.

Section 3580.00 Large-Scale Ground Mounted Solar Photovoltaic Installations to clarify the bylaw by adding a dimensional table, by making the reduced setbacks for conventional and dual-use solar installations the same, by allowing reduced frontage, and by adding a new subsection to address the sale or transfer of solar projects:

Mr. Walsh reads that at 2019 town meeting bylaw was amended. There were changes made that caused confusion. Purpose is to make changes to clarify bylaw.

The Chairman states that when we started with large-mounted solar they were ground-mounted or on a cranberry bog. As time evolved, there were dual-use systems that came into effect. These were largely put on cranberry bogs, some over garden areas. These were elevated to allow farming underneath these. Because they evolved at different times, there were different regulations for each one. Now we are trying to make changes to make the bylaw easy to understand. Also proposing that we reduce the set-back. Mr. Shea recommends keeping the set-

back to 50 ft. to bring it into alignment with the other section instead of reducing it to preserve the town seeing as these are large scale and will be seen from residential areas. Instead of reducing dual use to 25 ft, bring conventional to 50 ft. There is discussion on the topic. Ms. Sordillo asks if there's a cap on how many solar fields the Town of Carver can have- no cap.

Mr. Shea motions for Section 3580.25.1 setbacks to remain at the 50ft minimum. and to increase the dual-use from 25-ft to 50-ft when abutting residential properties. Ms. Sordillo seconds the motion. The Chairman asks for further discussion from the Board/public/Zoom. No questions.



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Fran Mello- 38 Merrill Street. everything was vetted through the bylaw study committee. We did not talk about the height, did not talk about the solar arrays/canopies. There was a lot of talk about the solar bylaw, and feels the Mr. Shea's recommendation is a good one.

The Chairman asks for a roll call vote regarding set-backs in Section 3580.25.1. Shea, Gaskey, Robinson, Sordillo- yes, Maki no. 4-1 to make the recommendation for town meeting.

Table 3580.25.1.1. Footnotes- The Board reviewed the current footnotes. #1- will cross out "of sites seeking screening waivers". Will read "Proponents must meet accessibility requirements..."

The Chairman asks for further questions from the Board/in person/Zoom.

Sarah Stearns- recommends that these be listed clearly in the decision for permits so the owner understands they need to come back to the board.

The Chairman entertains a motion to recommend the revised solar bylaw with the revisions that have been made to it tonight. Mr. Shea motions to recommend the bylaw with revisions to town meeting, Mr. Gaskey seconds. No further discussion.

Roll Call vote, Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes to recommend to town meeting.

The Chairman recommends leaving the following for next meeting in addition to re-visiting the marijuana:

- a. To amend the Carver Zoning Bylaw by adding a new Section 3590 Solar Canopies.
- b. To amend the Carver Zoning Bylaw by adding a new Section 4000 Single Family Cluster Development.

The Chairman motions to continue the public hearing to Tuesday March 9, 2021 @ 7pm. Mr. Shea motions, Ms. Sordillo seconds. No discussion.

The Chairman calls for a roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.

2. Planning Board member notes: none
3. Planning Director notes: none
4. Minutes: none
5. Next meeting: March 9, 2021
6. Adjournment 9:40pm Robinson motions to adjourn. Gaskey seconds, Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.