

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

Approved
6-14-2022

Chairman Cornelius Shea, John Gaskey, Kevin Robinson, Ellen Sordillo, Richard Dionne, and Planning Director, Thomas Bott.

Meeting was called to order at 7:02PM.

Pledge of Allegiance is recited.

The proceedings will be videotaped and rebroadcast by Area 58 TV

Public Hearings:

1. On the application of DK Properties requesting a Special Permit and Site Plan Review pursuant to Sections 2230, 3100, 3241, 4341, and 5300, of the Carver Zoning by Law, located at 90 Forest Street in Carver, MA (Assessor's Map 49 Lot 61) in the General Business Zoning District the applicant proposes to construct a 6,500 SF craftsman/tradesman building with associated parking and utilities. The applicant is requesting a Special Permit to render more than 10,000 SF of the site impervious. The total proposed impervious area is approximately 18,450 SF.

Eric Diaz, a registered professional engineer with Strongpoint Engineering Solutions, is before the board on behalf of DK properties. He is also joined by Dan DiCesara on behalf of DK properties. Mr. Diaz explains this property is currently owned by the Town of Carver and the lot is about one acre with frontage on Forest Street with 150 feet and there is a variance on file that allows a 200 foot of frontage zone. The site is a very wooded with great sandy soil and good depth of ground water. They are proposing a tradesman/craftsman building on the site which will be about 6,500 SF, with one entrance into the site and paved access to three sides of the building for fire and emergency vehicle access. They are proposing to have 14 parking spaces and 28 employees in the building which meets the zoning by-law. There is a landscape buffer to a residential zone. They are proposing screening with a row of arborvitae along the front of the building. There is also proposed grading, drainage, utility, lighting plans and a septic system. There will be no pole lights, rather the lighting will be on the building. They have presented sedimentation control plan to keep Forest Street clean.

They are requesting one special permit which will render more than 10,000 feet of the lot impervious. He believes their impervious number is 18,450. They are also requesting two waivers. One to waive the requirements to provide interior landscaping to the parking lot because it can become a maintenance problem. The other to provide estimated daily and peak hour vehicle trips to be generated by the facility. They anticipate a very low flow of traffic from this facility. Chairman Shea asks if there has been previously approved variance and the response is there is a variance for frontage which has been approved by the town. This zone requires 200 feet of frontage and this lot

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

has 150 feet. Mr. Shea also asks if the lot size is 40,000 SF in the general business district. The response is they have 40,791 SF. He also asks if there will be toxic or hazardous materials on site and the response is no. Mr. Shea asks about side setbacks and screening and the response is there is a 25 foot setback on the sides of the building and they are leaving as much vegetation on the sides as they can. They are providing giant arborvitaes along the frontage to screen the building from the public. John Gaskey asks how much grading they are taking off the top and the response is there is not a lot of cut and fill at this site. Mr. Gaskey also asks about water table depth and the response is they are now down to the depth of 120 inches which is 10 feet on all sides and tests results show no ground water reported. Mr. Shea asks about a truck turning plan and the response is they have not done this but will provide one if requested. They did however meet with the fire department and will have paved adequate access to all three sides of the building for the trucks to maneuver in. They are not anticipating any 18-wheelers or box trucks on the site. The applicant shows the board an architectural rendering of the building and Mr. Shea indicates the town's engineer will be commenting on the requirements for bump outs and size of windows.

Mr. Gaskey asks how high up the lights will be and the response is 15 feet but he will confirm that at another time. There will be no light seen by abutters and all lights will be facing downwards. Mr. Robinson asks if they have the dimension to the tree line and the response is 65 feet off the building, with a 50 foot buffer off the back with fully matured trees that will remain at the property line that abuts residential use. Mr. Robinson asks about location of the dumpster and snow removal plan and the response is the dumpster will be at the end of the driveway and snow removal will be in the parking area and on the sides and no snow will remain in the infiltration basin. Mr. Shea would like to see berming around the trash disposal area and a vermin control plan. Mr. Diaz responds this will not be a problem.

Ray Cleary, from the audience addresses the board. Mr. Cleary owns the property next to the site and would like trees between the site and his property. He is also concerned if putting in pavement will affect well water, since he has a well next door to the site. Also, he'd like to know when the project will start. Mr. Shea responds since this is a special permit the applicant has one year to do substantial work at the site. Mr. Diaz responds the applicant can make supplemental screening on the side where Mr. Cleary's property is located. As for the well water, Mr. Diaz indicates the storm water plan is designed to infiltrate ground water back into the ground so they do not anticipate any negative impact on the ability of his well function. Mr. Shea asks Mr. Diaz what the flow of the acquirer is and he responds he doesn't know, but will look into it.

Johanna Leighton of Windham Shores, from the audience addresses the board indicating

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

she has a Purchase & Sale Agreement (P&S) to sell the property and the P&S states clearly that by June 16, 2022 all permits must be approved and the variance they received from the zoning board on the frontage of the property ends on June 30, 2022 and they would be closing on June 30th as well.

The board will take a site walk on Monday, June 23, 2022 at 12:00PM. Mr. Diaz will have the property staked for the visit. Chairman Shea will accept a motion to continue the public hearing on DK Properties at 90 Forest Street at 7:00PM at the May 24, 2022 meeting. 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, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

2. On the application of A.D. Makepeace Company/Beals and Thomas, requesting a Definitive Subdivision approval pursuant to the Carver Subdivision Control by Law, for property located at "off Wareham Street", (Assessors Map 134 Lots 4-1, 4-2B, and 4-3) in Carver, MA in a Residential Agricultural District. The applicant wishes to construct a 370-linear foot roadway and cul-de-sac to support a two-lot conventional subdivision.

Chairman Shea reads the public notice aloud. Attorney Robb D'Ambruoso is present to represent A.D. Makepeace Company. Sarah Stearns, a civil engineer from Beals & Thomas is also present to address the board regarding this matter. Attorney D'Ambruoso indicates as written in the public notice this is a two lot subdivision on approximately 383 acres on the Wareham/Carver town line. They are requesting a residential subdivision for two lots and a roadway. The subdivision is for single family houses. Mr. Shea asks about a secondary road and Ms. Stearns responds there was a secondary road on a former subdivision plan from 2003 and it has since been voided. Mr. Shea asks about an approved ORAD through Wareham and Ms. Stearns replies the site is entirely in Carver and they do have an ORAD for this property. Mr. Shea asks about the location of the septic systems, water supplies and utilities and Ms. Stearns indicates this proposal is just for the roadway and the creation of two lots. When the project is ready for utilities, etc. they will file another request, and they will work with Fuss & O'Neill on this part of the project. Mr. Shea also points out they need fire department approval for the new roadway and Ms. Stearns indicates they did show the plans to the fire department and does not have a written response from them yet, but they did not have concerns, other than the usual access and hydrant availability.

Richard Dionne asks about Hammond Street as it seems to run through the site and also a setback. Ms. Stearns indicates Hammond Street is a public way and the building setback is a solar array off Hammond Street which is a totally separate lot. Mr. Shea asks about

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

wetland delineations and Ms. Stearns responds there is an ORAD and she will provide a copy to the board. The board will have a site walk on Thursday, June 2, 2022 at 6:00PM and Attorney D'Ambrosio indicates the property will be appropriately staked out for the visit. Chairman Shea will accept a motion to continue the public hearing of A.D. Makepeace Company subdivision matter to the meeting of June 14, 2022 at 7:00PM. Said motion is made by Richard Dionne and seconded by John Gaskey. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

Minor Modification:

3. Syncarpha Carver, LLC. – 104 Tremont Street (Map 123, Lot 13 and Map 124 Lots 8-4). Rob Burkowski of Weston & Sampson is present to represent Syncarpha Carver, LLC. He indicates this site plan was previously approved and they would like a minor modification to move the access road from the south area further to the north area on Tremont Street with a minimum 12 foot width and utility poles that Eversource requires through the interconnection agreement they have Syncarpha. Chairman Shea points out the fire department and DPW have to approve the revised position of the access road. Mr. Shea also indicates according to the by-laws all new utility connections are to be underground. Originally they were going to use existing poles, but now with new interconnections they need to be underground. However, Tom Bott points out Eversource determined to use above ground poles and he indicates this complies with the by-laws.

Walter Morrison, Trustee of Federal Furnace Cranberry Company asked Syncarpha to move the access road because it has shared access and there are residences affected, and moving the road to the north will involve no residences. Mr. Shea indicates they will check Syncarpha's agreement with Eversource to see if the utility requires the poles to be above ground. Mr. Bott notes in agreement with Mr. Shea the fire department will have to approve the road for access for their vehicles. The board will do a site walk on Thursday, May 19, 2022 at 12:00PM and Mr. Burkowski indicates the site will be staked out for the visit. Mr. Bott indicates this is not a public hearing but he has received feedback on the matter. He received an email from Sean Bogart of 116 Cranberry Road who stated he is concerned the change is not a minor modification and this should be open to the public for discussion via a public hearing. Mr. Gaskey feels this is not a minor modification and Mr. Bott reads the by-law describing what exactly a minor modification entails. Mr. Shea indicates they will do the site visit and determine at that time if this is indeed a minor modification or not. It is decided the minor modification application of Syncarpha will be continued to the meeting of May 24, 2022 at 7:00PM.

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

Other Business:

4. Preliminary Subdivision Plan – Johnson Brothers Cranberries, Off Fosdick Road, (Assessor's Map 57, Lots 1, 2, & 2A; Map 59, Lot 8). Mark Flaherty of Flaherty and Stefani in Plymouth is present to represent the applicant and indicates the applicant would like to create a 427 linear foot cul-de-sac to serve two lots. Lot 1 is 80 acres and Lot 2 is 64 acres. The cul-de-sac will be off Fosdick Road, which is a 22 foot wide road. They will build houses which will meet zoning requirements and also comply with setback requirements. There will be a septic system on each lot as well as private wells and a drainage system that will be 2% grade down to catch basins to a water quality treatment facility that goes into an overall leeching system underneath the cul-de-sac. They are in the process of obtaining an ANRAD. Mr. Flaherty asks for an extension to obtain ANRAD approval and he will provide a written agreement to the board. Mr. Gaskey asks if there are any structures currently on the site and the response is yes, there is an old building that will be taken down. Mr. Bott indicates the Board of Health will make recommendations on the definitive plans, as they are very involved in a subdivision plans in Massachusetts. The fire department will also be involved in the project.

Chairman Shea will accept a motion to continue the preliminary subdivision plan for Johnson Brothers Cranberries to the meeting of June 14, 2022 at 7:00PM. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote: Richard Dionne vote's aye, John Gaskey vote's aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

5. Preliminary Subdivision Plan – Franklin Marsh, LLC., Off Plymouth Street, (Assessor's Map 38, Lot 1-0-R and Map 34, Lot 3-0-R). Mark Flaherty from Flaherty and Stefani in Plymouth addresses the board. He indicates there are 87 acres and the applicant wants to subdivide this into two residential lots. There will be a cul-de-sac off Plymouth Street with frontage according to the rules and regulations of the zoning by-laws. There is an existing bog road that runs adjacent to the water recovery pond that goes out into to the western bogs and they would eliminate the bog road and connect to a driveway that would lead into the cul-de-sac. They believe this will lessen the amount of traffic congestion. Carver subdivision rules and regulations for a project on a major street require a 250 foot setback but they will request a waiver for a 150 foot setback. They will obtain approval for an ANRAD from the conservation commission. Mr. Shea asks if Lot 1 is accessible and the response is yes, because coming off the cul-de-sac will be a common driveway that is a sufficient distance from the wetland and would be allowed under the Carver regulations as long as the driveway meets the 20 foot wide requirement for the two lot common driveway. Mr. Shea asks if this would be outside the 65-100 foot

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

no use zone in regards to the bog and the response is yes it would be. Mr. Shea asks why this is a shared driveway and not part of the roadway system for the subdivision and the response is because the cul-de-sac can be no longer than 600 feet according to the regulations and a common driveway is allowed through the zoning by-law. They are asking for a waiver because there would be substantial expense to make this part of the roadway system that doesn't seem to him to be warranted. Mr. Flaherty asks for an extension to have time to get ANRAD approval and he will provide a written agreement to the board for this.

Chairman Shea will accept a motion to continue the preliminary subdivision plan for Franklin Marsh, LLC. to the meeting of June 14, 2022 at 7:00PM. Said motion is made by John Gaskey and seconded by Richard Dionne. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

6. Preliminary Subdivision Plan – A.D. Makepeace Co., Wankinco, 0 & 46 Federal Road, (Assessor's Map 131 Lot 2-4 and 4-3). Brian Grady with GAF Engineering is present to represent the applicant. He explains the applicant is proposing a three lot subdivision with a cul-de-sac layout. The entire site is 588 acres. Lot B is 517 acres. The other lots are 55 acres and 15 acres. There are a few isolated wetlands near the cul-de-sac but they have not yet been confirmed or approved by the conservation commission. There will be four catch basins and storm water will go to a sediment bay with a retention basin to control storm water in full compliance with storm water management guidelines. Mr. Shea indicates this is an industrial agricultural area and asks what the plans are for the subdivision. Mr. Grady responds these will be industrial lots in compliance with the town's industrial zone. Mr. Shea also indicates he does not see any plans for septic systems, utilities and various other items for what might be proposed for this project. Mr. Grady responds the plans do show underground electric serving the site and there will be on-site wells and on-site sewage disposal systems. He indicates there will be septic systems and utilities but it is difficult to show this on the plan because the project is for industrial use. Mr. Shea also points out there are not any setback lines and the response is the applicant will add these. Mr. Grady also points out they are in the preliminary plan phase and will follow-up on any comments the board has on this phase and the applicant will follow-up with a definitive plan with much more detail. Mr. Grady indicates they will apply for an ANRAD. Mr. Shea asks Mr. Grady to provide written permission to extend the hearing and the response is he will do so.

Chairman Shea will accept a motion to continue the preliminary subdivision plan for A.D. Makepeace Co. to the meeting of June 14, 2022 at 7:00PM. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

and Richard Dionne vote's aye, John Gaskey vote's aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

Topics not reasonably anticipated by the Chairman 48 hours in advance of meeting

Other Business:

- A. Planning Board Member Notes-Chairman: Discussion of Zoning Bylaw Committee.
Chairman Shea indicates the zoning by-law committee will be reestablishing itself on a regular schedule and invitations will be sent out to prior members as well as those on the current committee and applications will be accepted.
- B. Planning Director Notes. Mr. Bott indicates the planning board needs to fill the position of alternate member. He sent a note to the select board because this is a joint appointment and asked other boards to make the announcement the position is available. The position will also be posted on the town's website. Mr. Shea makes said announcement to the board at this time. He notes there are no qualifications for the position and will be accepting applications for the next 21 days.
- C. Discussion: See above A & B above.
- D. Minutes – 3/30/2022 and 3/31/2022. Mr. Shea will accept a motion to table the minutes of 03/30/2022 and 03/31/2022 until the next meeting. 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, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.
- E. Adjournment. Mr. Shea will accept a motion to table the minutes of 03/30/2022 and 03/31/2022 until the next meeting. Said motion is made by Ellen Sordillo and seconded by Richard Dionne. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

Documents for 5/10/2022 PB Meeting

Application for Special Permit and Site Plan Review for DK Properties, 90 Forest Street in Carver

Definitive Subdivision Plans – A.D. Makepeace Company/Beals and Thomas, Definitive Subdivision Plans for property located at Off Wareham Street

Minor modification application – Syncarpha Carver, LLC. – 104 Tremont Street

CARVER PLANNING BOARD
MINUTES OF MAY 10, 2022

Preliminary Subdivision Plan – Johnson Brothers Cranberries, Off Fosdick Road

Preliminary Subdivision Plan – Franklin Marsh, LLC., Off Plymouth Street

Preliminary Subdivision Plan – A.D. Makepeace Co., Wankinco, 0 & 46 Federal Road