

Approved
12-28-2021

CARVER PLANNING BOARD
MINUTES OF NOVEMBER 23, 2021

Present: Chairman Bruce Maki, Jim Walsh, Ellen Sordillo, Cornelius Shea, Kevin Robinson, John Gaskey, and Richard Dionne.

Meeting was called to order at 7:01 P.M.

Pledge of Allegiance was recited.

The proceedings will be videotaped and rebroadcast by Area 58 TV.

1. **Sign By-Law:** Mr. Maki discusses signing of the by-law with the members. He recently spoke to Paul Boucher, the new full-time building commissioner. Paul has worked in several communities as a planning board member and as a building commissioner. He mentioned that in all the communities he has worked in, approval of signs was always done by the building commissioner. He thought that if the building commissioner took over the sign approval for the town it would be faster for the applicants because they could talk to him about a sign and pay the fee. The way the town does it now is that the applicant comes before the planning board and after approval it goes to the building commissioner. He felt this would free up the planning board to focus on building and economic development instead of spending a lot of time dealing with signs, which would then shorten the time for the planning board meetings and the stenographer. Mr. Maki states that the planning board meetings have been long and members, after long meetings, have to go to work the next day, and the stenographer notes are taking a long time as well due to the length of the meetings. He indicates that in the future the board is going to have a lot of matters that will come before the board which will take a long time to discuss. We don't have a planner in place now but I believe we will have one in a couple of weeks. Paul Boucher said he would draft a by-law to make the change, but he wanted me to speak to the members first to see if they are agreeable to this. If the members agree the by-law will eventually come before the board for review, then go to the town meeting to be voted on by the people at the town meeting. All the members agree that this is a good idea so Mr. Maki will ask Paul Boucher to draft a by-law.
2. In the meeting of 11/9/2021 the board approved Eric Pontiff EJCP LLC application for plan modification for 96 Forest Street to combine 4 bays into 5 bays to lease to tenant of front building. The decision was mailed out to the members. Cornelius Shea had a question regarding the 700 sq. ft. accessory building. Mr. Maki indicates he spoke to the building inspector who stated that since this is in a residential area it is covered under rules and regulations for 700 sq. ft. on a residential property and not on a business property. The building inspector felt it really didn't apply because this it was a special permit for an accessory building. Another question was about having a storage area and a craftsman/tradesman area. He reviewed the by-laws and it seemed like both buildings are on a lot that allows for both uses, although in this particular building there is going to be one craftsman/tradesman area and four open bays which are going to be for storage of

materials from the front building, Nutrien. He did say that in the future if walls were to be built between the bays, a request would have to come before the building inspector. The building inspector also stated the way the conditions were written were acceptable. Mr. Maki also indicates that Paul Bouche is very knowledgeable on these matters and if any members have any questions, please call his office and he will be able to assist. Attorney D'Ambrosio pointed out that Section 7 of the decision states "Any appeal of this decision must be filed in pursuant to Mass. General Laws, Chapter 48, Section 117 and should be filed within 20 days of the filing of this decision with the town clerk". He indicated that this doesn't really apply to this project since it is a plan modification and special permit. Mr. Maki will strike this condition from the decision. The members do not object. Mr. Shea voted nay on this matter so he will not vote on striking this condition. Mr. Maki then asks if the members are supposed to sign the decision and is informed by Amy Quessel, town counsel, that the decision is an administrative act you the members can sign the decision but it will then have to be signed by the clerk or the chair. There are no requirements with regard to members. All the members sign the decision, except for Cornelius Shea who does not.

3. **Other Business:**

- The next two planning board meetings will be on December 14 and 28, 2021. All members are planning to attend.
- Minutes of 11/09/2021 meeting were tabled until the next meeting.

4. **Executive Session:** The planning board will now go into executive session and will reconvene in open meeting. Mr. Maki entertains a motion to go into executive session under General Law, Chapter 38 2183 to discuss strategy with litigation known as Ironwood Renewables, LLC vs. Town of Carver Planning Board, its members, and Massachusetts Land Court Civil Action No. 000488 miscellaneous, because I declare that discussing the matter in open session may have a detrimental effect on the litigating position of the board and with the board to not return to open session and he moves that the board going to executive session under General Law 2183 to discuss strategy with respect to litigation known as Ironwood Renewables, LLC vs. Town of Carver Planning Board, its members, and the Massachusetts Land Court Civil Action No. 21 miscellaneous 000488 because the chair has declared the matter has no concession and may have a detrimental effect on the litigating position of the board and with the board do not return to open session. A roll call vote is called. Cornelius Shea votes aye, John Glaskey votes aye, Bruce Maki votes aye, Kevin Robinson votes aye, Ellen Sordillo votes aye and Richard Dionne votes aye. The video taping is stopped.