



12/12/17

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, December 5, 2017, Carver Town Hall, Meeting Room #1. This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; William Sinclair; Kevin Robinson; James Hoffman (Remote Participation)

Also Present: Stephen Cole, Planning Director; Sam Hemenway, Fuss and O'Neil

Absent: Chad Cavicchi

Bruce Maki, Chairman, opened the meeting at 7:00 PM, followed by the pledge of allegiance.

Motion to enact Remote Participation for James Hoffman: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous

Mr. Maki – It has been confirmed that it would be unreasonably difficult for him to be here in person; which necessitates the need for remote access. Our other Board Member is in direct conflict to this Subdivision Public Hearing.

Definitive Subdivision:

7:01 PM – Mr. Hoffman added to remote access –

Mr. Hoffman - Hello everyone!

- DPH Realty Trust, 0 South Meadow Road, Patriots Pines. Discussion and possible vote -

Mr. Maki - Sarah Stearns is here with us. We did do a site walk with Sarah, Jim, Will and Bruce. Ms. Stearns – Thank you to the Board for meeting with us this evening. With Ms. Stearns is Mr. Angley, Attorney for applicant. I also walked with Stephen Cole, the Town Planner the next day. We are here to discuss those visits. Mr. Sinclair – perhaps Sarah can review the plan for our audience.

Ms. Stearns – This is a 19 lot subdivision – 19 single family homes. We are creating a roadway. In addition, each lot would have private well and septic. We did do a number of test pits with health agent. This subdivision is subject to the inclusionary law. We have gone through technical review sessions and addressed all comments. We received our order of conditions from the Conservation Commission and have done our site visits with the Planning Board and the Conservation Commission. Mr. Sinclair – Thank you for meeting us on Sunday. We went through the retention area and we discussed buffering; can you talk about that with us? Ms. Stearns displayed the plan – The area is on the western/southern borders of the drainage basin. This area will be cleaned and graded; we would like to add some native vegetation for buffering. This has been memorialized on the plan. Mr. Sinclair - Thank you for putting that on the plan. Ms. Stearns – The idea is to unmask some of the lower vegetation and saplings that are native to the area and move it to this area. Mr. Sinclair – In regards to the emergency access road/gate. The Fire Department is happy with your proposal. The only access would be for an emergency only. Ms. Stearns – Yes, this would be only used during an emergency. I do also have some options to help it fit more with the neighborhood. Mr. Sinclair – In regards to where it meets Fairview Lane; the stone apron area – we asked for something more aesthetically pleasing. Ms. Stearns – Yes, we agree – we would like to propose that we leave what is on the plan and to indicate an all weather surface. We would then coordinate with the Fire Department before anything is installed. Mr. Anglely – Yes, the applicant is in agreement with you. Mr. Maki – For lot 6, left of basin – We talked about taking the rear 30' buffer zone. Ms. Stearns – The rear lot setback is actually 50'. We did speak with the applicant and he assured us that every effort will be made to have a buffer for that. Mr. Anglely – We might do something similar and unmask some lower veg and saplings. Mr. Hoffman – The emergency access road will have no further construction? Mr. Maki – The access road to the left of the cranberry bog would mainly stay as is with minor pruning and grading. The gate would be rear of the bog. Ms. Stearns – That's correct. This has been discussed at length with Fire Department and they are in agreement that the road is fine as is until we get past the bog when grade goes up. We would need more significant grading at that point. That would be about where the gate would be placed. Mr. Maki – We also discussed that this access road would not be used during construction. Mr. Maki – Jim any other questions or concerns? Mr. Hoffman – None. Mr. Hemenway has no questions.

Mr. Maki – This is a public hearing, are there any questions or concerns from the public?

Brian Abatiello – Wade Street –

1. Is there an alternative location to drainage ditch? Why can't it be moved to the unused area at 0 wade street? This is land that will never be used according to the town.
2. When you have a 60K sq. ft. lot. I am only looking for 50'.

Ms. Stearns – I would like to respond to your first question – We looked at all different placements. The idea is to try to maintain the natural drainage pattern. The other complicating factor with placement is the incorporation of the emergency access road which is a requirement. If the drainage parcel was at a different

site, it would still be an unusable lot. This is really what makes the most sense. It will very rarely have water in it. It is set up to take significant water and filter quickly. The slope is shallow and with only minor rip rap. Mr. Hemenway – I don't want to speak to other possibilities but the site is a suitable location. I generally agree there will be fast draining water and you really shouldn't see mosquitos. There is a depression in that location; the ground water is significantly deeper than other locations. I am confident with what we saw and the calculations provided.

Mr. Angley – Question 2, Why 50'? I think the Planning Board wants to be sensitive to the neighbor but they are also sensitive to the builders. Mr. Maki – The builders feel it is desirable to leave a buffer between your property and the new subdivision. This would be including lot 6 as well. Brian – Yes, that's what I am asking. Can they leave some trees in addition to my buffer? Ms. Stearns – We did discuss with the applicant – there is every intent to leave a buffer between proposed and existing residents. Mr. Maki – Does that satisfy you questions Mr. Abatiello? - I will have to take it on faith that there will be a buffer there. Mr. Maki – We did discuss this in the field – there is a 50' rear setback - Ms. Stearns – Yes, from the building, at least 50'. To leave trees in this particular area makes the most sense. Mr. Maki – The bottom of the basin is lower by 11' to the lowest part of your backyard, Mr. Abatiello.

Mr. Maki - Any further questions? None heard.

Motion to close public hearing: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Mr. Cole - The staff did visit the site, comments were captured. There have been no additional comments. There are 13 Conditions.

Conditions were read to the audience.

1. Prior to the Planning Board's endorsement of the final plans, a true photocopy of the Planning Board's decision as registered at the "Plymouth County Registry of Deeds" shall be submitted to the Carver Planning Department.
2. Prior to the Planning Board's endorsement of final plans, a protective covenant shall be executed and recorded at the "Plymouth County Registry of Deeds" and shall be submitted to the Carver Planning Department.
3. Prior to the release of any lot by the Planning Board, all easements, deed restrictions and conveyances, if any, as submitted to the Planning Board shall be executed and recorded at the "Plymouth County Registry of Deeds: and shall be submitted to the Carver Planning Department.

4. As soon as is practically possible, the applicant will provide the Planning Board with a statement estimating the cost to construct the new residential road and associated drainage. Estimated costs will determine the value of covenants consistent with Town of Carver Subdivision Rules and Regulations and Zoning By-Laws.
5. All ways, roads, drainage facilities, water facilities and other utilities within the subdivision, shall remain private and any maintenance thereof, snowplowing, and any other associated costs, shall be the responsibility of the applicant, or its successor in interest with respect to same, until said time when the Town of Carver has accepted all responsibilities of said roadway and associated easements.
6. A copy of any change in ownership of said property and responsibility of said subdivision shall be filed with the Town Clerk within thirty (30) days of recording of said instrument.
7. During construction all local, state and federal laws shall be followed.
8. There shall be no burying of stumps anywhere on the approved subdivision property.
9. Following endorsement of said plan by the Planning Board, the applicant shall supply a duplicate Mylar of the sheets to be recorded, and seven (7) copies of the signed plans.
10. The Emergency Access Road/Easement from Wade Street to the subdivision will be locked and used only by Town of Carver emergency vehicles, if needed.
11. Best efforts shall be made by applicant and successive owners to maintain a buffer between adjacent properties and the subdivision along Wade Street to the retention pond.
12. The point at which the emergency access road joins the new residential road shall comply with fire department regulations and "all weather surface" that is aesthetically consistent with the characteristic of the rest of the subdivision.
13. The applicant and successive owners shall ensure the intent of inclusionary zoning provisions is upheld pursuant to Section 3000 – Inclusionary Zoning found in the Town of Carver Zoning By-Law. Particular care shall be exercised to ensure compliance with Sections 3040 – Design and Construction; 3045 – Habitable Space Requirements; 3087 – Segmentation.

There were no Waivers requested.

Motion to approve Patriot Pines subdivision with conditions stated in document: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Remote participation for Mr. Hoffman was ended

Other Business:

Planning Board Member Notes:

Planning Director Notes:

You have in your packets the minutes from the last meeting. The amendment to the previous meeting was not included in your packet and will be addressed at our next meeting.

Minutes – November 28, 2017

Motion to approve the minutes of November 28, 2017, as written: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (3-0)

Next Meeting date:

The next meeting has been scheduled for December 12, 2017, at 7:00 PM.

Adjournment:

Motion made to adjourn at 7:44 PM: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (3-0)