

CARVER PLANNING BOARD  
MINUTES OF September 27, 2022

Approved  
11-22-22

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

Meeting was called to order at 7:09PM

Pledge of Allegiance is recited.

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

ANR:

1. The purpose of this plan is to create 2 lots separated by a 50' wide easement that contains Bunnys Road (Assessor's Maps 107 Lot 1-4). Kenneth Conti, a professional land surveyor with Beals & Thomas is present to represent the applicant, A.D. Makepeace Co. and Attorney Robb D'Ambruoso is present to represent the applicant. Mr. Conti indicates they presented a similar plan to board previously and are now submitting another plan with minor modifications. The previous plan contained two large estate style lots and one lot that was 50 a foot strip and ran along Bunnys Way. With this submission they eliminated the 50 foot lot and created a 50 foot wide easement and will use the existing sideline of the traveled way as a new lot line for Lot 1 and all the remaining land will be to the south of that and will be known as Lot 2. He states Bunnys Way is not an accepted public way but has been in existence prior to the acceptance of the subdivision by the town's control law. Bunnys Way has been publicly maintained by Town of Carver according to records of the town. They are separating a large parcel of 90 acres into two parcels, one to the north of Bunnys Way and one to the south of Bunny's Way. Chairman Shea asks if an ANOI has been done through the conservation commission and the response is no. Mr. Shea asks if any changes have been done to the road and Mr. Conti indicates they have a letter from the fire department indicating while the road does not meet current standards of a road it does provide access to 15 to 18 current house lots at the end of the road. Mr. Shea points out the letter from the fire department indicates the road is narrow and access to fighting fires or emergencies causes challenges and does not provide adequate access for safety, health and convenience in an emergency. Attorney D'Ambruoso responds the fire department states in the letter that the road is adequate, and that you wouldn't build a road this way today is in line with the regulations. Chairman Shea indicates the road does not meet current safety standards, not a public road, does not provide frontage for these lots, and he doesn't feel it's a safe road due to future possible emergencies, not to mention Bunnys Way connects into private land on the Plymouth side. Mr. Conti indicates the residents of Bunnys Way have access across the private road. Mr. Bott states the letter from the fire department says there is suitable access for a single house on each of the lots. Mr. Dionne voices concerns about bottlenecking when leaving Carver.

TheWhittemore's, whose residence is on Bunnys Way speak to the board indicating they have been residents of Carver for over 30 years and have also lived on Bunnys Way for 30 years. They do not want to change the road they just want to sell their existing house and

CARVER PLANNING BOARD  
MINUTES OF September 27, 2022

build a retirement home/house on Lot 1. There are 32 houses on Bunnys Way and the neighbors are helpful and courteous to each other. Attorney D'Ambruoso points out if whoever buys Lot 2 wants to build a sub-division they would have to come before the board with a subdivision plan and options for improvement of the road. Mr. Robinson states if the future owner of Lot 2 would want to install a solar project it would create a significant amount of traffic on the road.

Frank Gill lives on Pond Road, which is off of Bunnys Way and he speaks to the board indicating he has no problem with the Whittemore's building a house on Lot 1 and also states Bunnys Way is wide enough so two cars can pass by each other, but they do have to slow down. He has also witnessed ambulances traveling down the road and there has never been an issue, for like on any other street/road vehicles always pull over to let the ambulance pass.

Tim Houston lives a 36 Bunnys Way and speaks to the board indicating he has lived there for two years and the entire street is very welcoming. He has witnessed large garbage trucks and large electrical vehicles have no problem getting to his house. He also states he has no problem passing the large trucks on Bunnys Way.

Chairman Shea will accept a motion in regards to the ANR application for Lots 1 & 2 off Bunnys Way and easement with the condition the board strongly recommends not putting in a subdivision or a solar farm on Lot 2, and also in its current state it is the opinion of the planning board the sufficient weight, suitable grades and adequate construction of Bunnys Way do not provide for the needs of vehicle or traffic beyond the two lots being created. Said motion is made by Kevin Robinson and seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's nay, John Gaskey votes nay, Chairman Shea vote's nay, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. The ANR not passed with vote of 2-3-0.

2. The purpose of this plan is to combine additional land to Lot 1, Weathervane at Patriot Pines on South Meadow Road (Assessor's Maps 112 Lots 1-5 E, I, J, K, L, M, N, P, Q, R, 3-88A and Lot - 4A on Map 107). Kenneth Conti with Beals & Thomas is representing the applicant and owner, Weathervane Estates at Patriot Pines Estates and Bristol Brothers Construction. They want to take the existing three lots and reorganize the lot lines to amalgamate into two lots. They are cutting eight acres off of Parcel A1 and it is being added to Lot 1. Parcel A1 does not have frontage but it does have access so that it is not a land locked property. Mr. Bott explains that Parcel 1A is noted in the plan as not considered a building lot. They are not creating a new lot, rather they are adding acreage to Lot 1 which has frontage and will be for the real estate for the development. Mr Conti states the lot does not have legal frontage. Mr. Shea asks if they have received an ANOI in order to delineate the wetland areas. Ms. Stearns with Beals & Thomas responds this has been approved through the Notice of Intent process back in 2018 issued by the conservation commission. They will be going back to the conservation commission because the expansion of this acreage is now closer to the cranberry bog and she indicates there are not wetland resourced areas on the site. Chairman Shea state the lot does not have frontage or adequate access.

Chairman Shea will accept a motion to approve the ANR with the conditions that parcel A1

CARVER PLANNING BOARD  
MINUTES OF September 27, 2022

be further identified as not to be considered a building lot and the word 'separate' be removed from parcel A1. 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 votes aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

**Public Hearings Cont'd:**

3. On the application of Bridgestone Development, Inc. requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 5300, 2330 and 2230 of the Carver Zoning by Law, located at Lot #3, Ricketts Pond Business Park (Off Spring Street) in Carver, MA (Assessor's Map 32 Lot 1-3) in the Spring Street Innovation Zoning District (SSID). The project will consist of the construction of two commercial buildings located at Lot #3 – 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. Stormwater from the site development will be directed to infiltration basins designed to accommodate runoff from Ricketts Pond Business Park Definitive Subdivision.

Eric Shoemaker with McKenzie Engineering is present to represent the applicant as well as Mike Faccino of Bridgestone Development Inc. Mr. Shoemaker indicates since they were last before the board they responded to a letter from the peer review and made some minor revisions shown in the third revision of the plan regarding the grading and drainage plan. With the grading they tied it to the existing grades on site. They also made some slight revisions to the landscape plan beefing up the buffer along the rear and added some trees and shrubs and trees on the sides of the buffers adjacent to the parking area. The expected hours of operation will be Monday to Friday, 7:00AM to 5:00PM and 8:00AM to 5:00PM on Saturdays. They may operate on Saturdays for much less hours. They did not provide a fence, rather they created a landscape buffer which adds quite a bit of screening and thought a fence would be overkill. Arborvitaes that are 8 feet tall will be planted on top of the substantial hill behind the site and that the DEP was investigating issues brought up by Meg Sheehan. It was previously discussed that the hill would be removed, but Mr. Shoemaker indicates the hill will not be removed. Mr. Gaskey indicates a fence would protect the neighbors from light and sounds of the operation and that no hill was showing on the plans.

Chairman Shea asks if they have complied with all the conditions presented by Andy Glines of Fuss & O'Neill. Mr. Bott indicates the conditions for Lots 1 and 2 have been approved and he put together a list of conditions for Lot 3 and he reads the conditions aloud including monitoring wells due to ongoing drought and that it is still unconfirmed as a private road.

Chairman Shea will accept a motion to approve Ricketts Pond project with the conditions as noted. Ellen Sordillo makes said motion and it's seconded by Kevin Robinson. Mr. Gaskey has several concerns about activity within the 100 foot buffer and the buffers not being adequate and Mr. Robinson indicates they are planting 57 arborvitaes and believes the neighbors would most like to see a natural buffer rather than a wooden fence. Mr. Shea indicates they could add a condition stating that lighting and noise levels should not exceed

CARVER PLANNING BOARD  
MINUTES OF September 27, 2022

what is permitted under the Carver zoning by-laws and the conditions would state if the neighbors are having trouble with this it can be addressed with the board at a future date. Mr. Shea states the lights should be off when the business is closed. Chairman Shea takes a roll call vote and Richard Dionne vote's nay, John Gaskey votes nay, Chairman Shea vote's nay, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Application for Special Permit is not approved with vote of 2-3-0.

4. On the application of Priolo Concrete Forms, Inc. requesting a Site Plan Review pursuant to Sections 2230 and 3100 of the Carver Zoning By-Law, for property located at 0 Forest Street, in Carver, MA (Assessors Map 49 Lot 62-7-R) in the General Business Zoning District. Applicant proposes the construction of a single commercial building, associated utilities, stormwater control, parking lots and access drives. The building will be used as a craftsman/tradesman building.

The applicant requested to continue this matter. Chairman Shea will accept a motion to continue the public hearing of Priolo Concrete Forms, Inc. to the meeting of October 18, 2022 at 7:00PM. 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 votes aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

5. On the application of Christopher Mazalewski requesting a Special Permit pursuant to Sections 5300 and 2230 of the Carver Zoning by Law, located at 17 Wareham Street in Carver, MA (Assessor's Map 126-31-0) in the Residential-Agricultural Zoning District (RA). The project will consist of landscaping with tree services home occupation.

Mr. Bott has prepared a draft decision for 17 Wareham Street and he reads aloud the conditions on the project. The applicant asks if they can plant white pines instead of green giant arborvitae as screening. Mr. Robinson indicates they would need to be very full white pines to create a significant barrier. Mr. Shea indicates he would like to see screening between the site and the neighbor's house. No working on vehicles can be done on the site and the operation of the business should be from 7:00AM to 4:30PM in the winter and 6:00AM to 7:00PM in the summer. However they are allowed to change oil in their vehicle in their personal garage. Chairman Shea states concerns over oil spill.

Chairman Shea will accept a motion to approve the application of Christopher Mazalewski requesting a Special Permit to operate a landscaping with tree services home occupation in a residential agricultural district. Said motion is made by John Gaskey and seconded by Donald Williams. Chairman Shea takes a roll call vote and Richard Dionne vote's nay, John Gaskey votes aye, Chairman Shea vote's nay, Ellen Sordillo vote's aye and Donald Williams vote's aye. Special Permit not approved by vote of 3-2-0. Chairman Shea references fire Department recommendation and provides copy to applicant which indicates past fires and site concerns. Chairman Shea points out how invasive such a business can be in residential and consideration of environmental and other aspects. Applicants ask if they must halt operations.

CARVER PLANNING BOARD  
MINUTES OF September 27, 2022

**Other Business:**

Preliminary Subdivision Plan – A.D. Makepeace Co., Wankinco, 0 & 46 Federal Road, (Assessor's Map 131 Lot 2-4 and 4-3). The proponents requested an extension which will be continued on the October 18, 2022 meeting at 7:00P.M.

**Other Business**

A. Planning Board Member Notes-Chairman: None.

B. Planning Director Notes: Mr. Bott indicates there should be a business meeting in the future of the planning board to go over procedural issues such as the signing of plans and decisions, etc.

Also, CPT season is coming and there will be a training session by the town council.

C. Discussion: None.

D. Minutes:

8/23/2022: Chairman Shea will accept a motion to approve the minutes of August 23, 2022. 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 abstains, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Vote is 4-0-1.

E. Adjournment

Chairman Shea will accept a motion to adjourn. 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 votes aye, Chairman Shea vote's aye, Kevin Robinson vote's aye and Ellen Sordillo vote's aye. Unanimously approved 5-0-0.

**Documents for 9/27/2022 PB Meeting**

9/7/22 Form A and Plans for Bunnys Road

9/2/2022 Memo to Beals & Thomas and Town Planner from Assist. Deputy Chief Jesse Boyle re: Bunnys Road

9/20/22 Ltr to T. Bott from John Woods Re: Bunnys Road

9/27/22 Memo to Planning Board from T. Bott re: Bunnys Road

8/9/22 memo from A. Glines re: Spring St., Lot #3 Bridgestone Development, Inc.

CARVER PLANNING BOARD  
MINUTES OF September 27, 2022

8/15/2022 Plans re: Spring St., Lot #3 Bridgestone Development, Inc.

Revised plans 8/13/22 for 0 Forest St

8/9/22 memo from J. Boyle re: 0 Forest St

9/12/22 memo to Planning Board from A. Glines re: 0 Forest St

9/26/22 memo to Planning Board from A. Glines re: 0 Forest St

9/27/2022 Memo to T. Bott from Assist. Deputy Chief Jesse Boyle