

**Carver Select Board
Meeting Minutes
Town Hall- 108 Main Street
December 11, 2023 - 6:00pm**

In Attendance: Chair Mark Townsend, Vice-Chair Jim Hoffman, John Cotter, Sarah Hewins, Dan Ryan, Town Administrator Robert Fennessy and Assistant Town Administrator Elaine Weston

Chair led the Pledge of Allegiance and Hoffman read the community prayer.

Chair noted that the Select Board meetings will begin at 5:00pm temporarily as an accommodation to the Town Administrator. Town Administrator Fennessy read a brief statement regarding medical issues his family is facing, and that making the decision to submit his intention to resign was a difficult one and that he will perhaps withdraw his resignation accordance with the terms of his contract if circumstances continue to improve.

Citizens Participation: None

**American Rescue Plan Act (ARPA) update and presentation of check from
Plymouth County Commissioners:**

Plymouth County Commissioner Jared Valanzola and Plymouth County Treasurer Tom O'Brien present. They stated that they value their partnerships with the State Representatives and Senators as well as with the Town. They are presenting two checks to Carver for two vital projects: HVAC system at Fire Station #3 for \$18,671.19 & HVAC upgrade at the EMS Building for \$14,347.91. Plymouth County has not had any money as inappropriately spent and they do a vigorous review of each project. They make sure each project adds value to the community and falls within the categories of approval. Plymouth County does the auditing on the money, saving the Town's staff resources. All monies need to be obligated by June 30, 2024 and spent by December 31, 2024, with an extension available until December 2026, only with approval from the County.

Board members thanked the Commissioners for attending the meeting tonight.

Townsend asked if a project comes in under budget does the Town forfeit the money. O'Brien stated they try to get accurate amounts instead of estimates as it is difficult to reallocate the money. Carver has a lot of applications and some will get rejected, which is good because there is room for other projects to move forward.

Fennessy complimented the County for working with the Town. Fennessy stated that the Town meets with the County ahead of starting the projects to go over the project and find out the potential of the project being approved by the County.

Set Date for Annual Town Meeting and Deadline for Articles:

Townsend recommends a date of April 9, 2024 at 6:30pm and a second night if needed for April 11, 2024 at 6:30PM.

Motion to approve Annual Town Meeting to be held on April 9, 2024 at 6:30pm, with a second night if needed of April 11, 2024 at 6:30pm by Ryan, second by Hoffman.

Ryan noted in years past there has been a special Town Meeting. Fennessy stated a Special Town Meeting can be held within the Annual Town Meeting if needed.

Vote 5-0

Townsend recommends setting the deadline for Petition articles for January 2nd at 4:00PM

Motion to open the warrant for Petition Articles on December 12 at 8:00am and the warrant closes on January 2nd at 4:00pm by Hoffman, second by Hewins.

Motion amended to open the warrant for Articles on December 12 at 8:00 and to close on January 4, 2024 at 3:00pm by Hoffman, second by Hewins.

Vote 5-0

Update on Financial Management Policies/Budget Process: Fennessy stated that the draft budget has been prepared and will be finalized this week. The budget is in good shape for FY25. He noted that it has been delayed in preparation given that there is a part-time Interim Finance Director and employees being out. The School budget has not been received yet. Cotter asked when revenue and expenses budget will be done. Fennessy stated he hopes to have it back from the

finance director as soon as possible, and most likely the next day. Ryan asked if the revenue numbers have been finalized. Fennessy stated he believes that the Interim Finance Director has the numbers prepared.

The Date for the proposed joint meeting with the Finance Committee to review budgets with departments is Saturday, January 27, with an anticipated start time of 9:00am, which will be confirmed at a later time.

Update on the Open Space and Recreation Plan: Fennessy stated that today the group of Hewins, Town Planner Bott, the Operations & Maintenance Director and the Deputy Director met with the Southeast Regional Planning and Economic Development District (SRPDD) on the status of completing the Open Space and Recreation Plan. Hewins stated that the demographics and ADA compliance need to be completed, the rest of the plan is done. The town will engage SRPDD to complete the Plan, so that the town can be qualified to apply for grants that may be available.

Town Administrator Update:

Ward Street Closure update: Work started today on the repair of the road. The damage is bigger than initially thought, as the road opened up more and there is an issue with the power lines that feed the homes in South Meadow Village being located in the underside of the road. The culvert will need more attention, however the time estimation still remains at 4 weeks for completion, give or take a week. Town Official and public safety chiefs will be giving an update in person to South Meadow Village residents on this Thursday at 4:30pm.

North Carver Water District: On December 1, 2023, Carver switched over to the Middleborough water line due to high levels of manganese and iron detected in the water. The District is working with the Town to find long-term goals. The Town of Middleborough is going out to bid for the meter pit, which will accurately register how much water is flowing into the District.

Select Board Community Announcements:

Ryan: Offered to help with the budget process, if needed.

Cotter: none

Hewins: Reminded all to remember Shane Gives Thanks Food Pantry

Hoffman: The Junior class is collecting cans to donate as well for the food pantry. He noted that Shane was a member of the Junior Class. Congratulated the high school football team on their success and wished all a Happy Hanukah
Townsend: Reminded all that applicants for the

Recess at 5:39pm until 6:00pm.

6:00PM Public Hearing: Chapter 61A- 0 Lakeview St., Assessors Map 8, Lot 29 & South Main St., Lots 29-1 & 29-2:

Town Counsel Gregg Corbo & Town Planner Thomas Bott present.

Bott reviewed the timeline of the 120-day process of the Town's First Right of Refusal by January 14, 2024. He noted that executing the first right of refusal will require a special town meeting. Town Administrator and Counsel had authorized a title search and to initiate a Phase 1 ESA (21E) for oil and hazardous material release, if necessary. The Community Preservation Committee application was presented on December 8, 2023. The environmental assessment is anticipated to be completed by December 15 and the results of the title search by December 22, 2023, if necessary.

Bott showed a map with a 100' buffer and is a developable site consisting of 1.6 acres. Bott outlined the lots that were developed. The lots go into the bogs and it is not necessary for development of the property and he does not recommend the town purchase bogs. Bott showed properties at Red Brook where two-bedroom cottages were built. There is a limit of 12 bedrooms on the proposed site and potentially up to 14 with a nitrogen reducing septic system. If the Town does not exercise their right of refusal, there will be three, 3-bedroom single family units built on the site.

Corbo questioned that Bott stated the Town does not want to own cranberry bogs, as the three lots extend into cranberry bogs and if the Town purchased the property, the Town will own the bogs. Bott stated that he suggested that the Town convey the bogs back to the original owner. Corbo asked if the bogs were conveyed back, would the lots still be buildable. Bott stated he has been working

with Department of Housing and Community Development for a friendly 40b which would waive any setbacks.

Ryan asked if the Town will need waivers and what kind of precedence would the Town be setting. Bott stated if someone is looking for affordable housing, the Town should do their best to work with them.

Hewins questioned if the Town has control over the project, and asked what the units would look like. Bott stated the Town would have control over the placement and would hope that the design would be in line with the neighborhood. Bott stated the affordable Housing Trust Committee would need to be appointed by the Town Administrator which would handle this type of project.

Ryan asked if other potential sites that have been identified for affordable housing. Bott stated that the Housing Production Plan has identified the desirable places and the site has to be available.

Bott stated that if the Town were to purchase the property, Community Preservation funds would be used which is for affordable housing.

Hoffman asked questions on the development of the property and the use of all three lots. It is his understanding that only two of the lots would be used for building and wanted to know if the town could purchase two of the lots instead of three. Corbo stated there is no option to split up the lots, all three lots must be purchased. Hoffman asked where the money goes once the land is sold. Corbo stated there is a housing account the money would go to that can be used to pay off debt on the property and has restricted use.

Cotter asked about the housing production plan. How many houses has the town purchased to date? Bott stated zero. Cotter asked if the housing production plan was too aggressive. Bott stated that they are look at all opportunities as they come along and would want to build what makes sense in the community.

The Boston Metropolitan Statistical Area median income is used to calculate what constitutes affordable housing according to the state statutes.

The property owner, Monty Sief from ADGA Realty, LLC clarified the cranberry bog issue. He noted that there is an easement for the property owner to keep the bog and to continue farming the bogs. The same easement would be applicable if the Town purchases the property.

Bob Gosselin, builder stated it may be difficult for a non-profit to come in and make the numbers work.

Art Borden, Chair of the Board of Health stated there are two separate public health issues to deal with, which are septic and water supply. He does not think it makes sense for the Town to take on a project like this. The Conservation Commission has been discouraging permanent structures within a 100' buffer zone. He stated there will be land that will not be used, the easement in the agreement will be a part of the deed and the new land owners will have that tax burden.

Amy Belmore, Director of Habitat for Humanity stated she would be interested in learning more about the RFP as it is being developed. She stated there is a housing crisis locally and would like to try to find solutions to this and thinks this is a good opportunity.

Doug Crane, Realtor for the property stated that housing is important and if the Town wants a 40b project, this is not the place to do it.

James Weston, resident of Lakeview St. stated to cultivate a cranberry bog, you can't have people living up against it. Houses in the area have high property values. Weston asked if the setbacks are waived for a 40b project. Bott stated if the Town has more stringent regulations, the state regulations are followed.

Townsend questioned if the Town was to vote to purchase the land and use it for affordable housing, can the Town restrict it to Carver residents. Corbo stated that preference can be created, but it does not guarantee it. Amy Belmore from

Habitat for Humanity stated that no more than 70% of the affordable units can be designated for resident preference. She stated the resident would then go into a lottery based on geographic location to the site. Income qualifications would need to be met and explicit directions would need to be followed for the lottery and assignment of the home. Bott stated the lottery is weighted, but it is still a blind draw from the lottery. People fall off the qualifying list for several reasons and there is no guarantee that units would go to Carver residents. Bott noted that there would be an affordable designation of the deed of those units, and would remain as affordable units in perpetuity.

Matt Sears, resident of Indian St. stated that it makes no sense to spend the money when it may not end up going to a Carver resident, when there is a builder that wants to build three single family homes ready to purchase it. Hewins stated that once the purchaser moves to the home they would be a Carver resident. Sears stated that people who live in Town and have been paying into it may not have the benefit of it.

Motion by Hewins to exercise the Town's right of first refusal. No second.

Motion fails

Motion by Hoffman not to exercise the Town's right of first refusal, second by Cotter.

Hewins stated that she understands that affordable housing is not a popular topic. She asked what is it that people are afraid of here? What are they worried about? Is it what the homes will look like? Is it the type of people who will live in these homes? Are they worried that these people are going to be criminals? If that's the case, Hewins said, then she has a short story to tell: when she was little, there was a time when she and her mother and brother were homeless. They lived at a YMCA in Philadelphia. She said she turned out okay, and that she kind of likes herself. She also said that one of the Select Board members didn't want to use ARPA money because we had so much money in CPA funds for affordable housing. She added, Well, now's our chance! She also said she would like the Board to actually do something rather than just being ceremonial.

Cotter stated trying to find small lots around Town doesn't seem to be cost effective with the Town's money. He would like to see the affordable housing plan revised. Hewins asked if he means that all the affordable home should be put in one place instead of blended in throughout town. Cotter feels that we should incentivize developers to make affordable units part of their projects in any location within town.

Hoffman stated that he has two issues. The first issue is that he thinks that most people thought the property would be purchased for conservation purposes. The second issue he has is that the Town would be purchasing three lots and only using two and also the Town would be purchasing cranberry bogs and then convey them back to the land owner. He is hoping for other opportunities for land in the future and does not want to spend the money for land that cannot be fully utilized.

Vote 4-1 (Hewins)

Citizens Participation: None

Motion to adjourn by Hoffman at 7:28pm, second by Cotter.

Vote 5-0

Listing of Exhibits: Chapter 61A for notice of intent to convert documentation, power point presentation from Town Planner Bott