

**Carver Select Board
Meeting Minutes
Town Hall
March 1, 2022 - 6:00pm**

In Attendance: Chair Mark Townsend, Vice-Chair Sarah Hewins, Robert Belbin, Jen Bogart & Jim Hoffman, Interim Town Administrator Robert Fennessy & Assistant Town Administrator Elaine Weston.

The Chair led the Pledge of Allegiance and Bogart read the community prayer.

Citizens Participation:

Brenda Bakal looking for clarification in regards to the warrant article wells at Cranberry Village and would like Select Board members to stop private messaging her on Facebook. She stated she is being harassed by a Select Board member.

Hillwood Public Safety Issues: Fire Chief Craig Weston present for the update. As a follow up to the December Select Board meeting, the developer named Hillwood is looking to build two structures in the North Carver Green Business District. Over the past year, public safety officials have been in discussions with Hillwood in regards to the demands the facilities will have on the Town's resources. The Town is close to an agreement for funding of the needs of the public safety mitigation and they understand that it is not a guarantee that the project will go forward and they will not be given any special treatment in regards to inspections, permits, etc. Town Counsel will prepare a formal agreement between the Town and Hillwood and it is anticipated to be ready to be signed at the next Board meeting. Chief Weston asked for support of the agreement and acknowledged that does not necessarily determine the Board members individual support for the project which is their personal vote at Annual Town Meeting.

Townsend thanked all the public safety chiefs for the time that was put into this agreement. He noted that the next meeting will be March 15, 2022.

Hewins stated her appreciation for coming in for the update and the distinction between signing the agreement for the Town and the Town Meeting vote on the approval of the project.

Bogart asked for the agreement prior to the meeting it will be discussed at, so the Board has time to review it. Chief Weston stated he will get it to the Board as soon as possible once Town Counsel has reviewed it. Fennessy stated this was not done quickly and it predates his tenure with the town and there was input from a large group of people who met regularly in regards to the issues facing the Town. Belbin questioned what staff will be hired and who will be paying for that. Chief Weston stated that it would most likely be for a 3-year period or a certain needed time period and this is still being worked out. Belbin asked the timeline for signing the agreement. Chief Weston would like this agreement signed prior to Town Meeting. If a mitigation agreement is not in place, public safety cannot support the project and would like Town Meeting to vote on the merits of the article. Chief Weston stated the agreement is well

thought out and in the best interests of the Town. Hewins stated it is important to keep these issues separate so it is not confusing at Town Meeting. Hoffman clarified that the only item before town meeting is the Height Change Article and the mitigation agreement is approved by the Board, not at Town Meeting.

Police Chief Duphily stated he has spoken to Chiefs in other towns that have distribution facilities and he stated it is important to have this agreement signed prior to going to Town Meeting and does not want the Town to miss this opportunity.

Annual Town Meeting Articles:

Zoning Articles: There was an issue with the Planning Board publishing for the hearing notice of these articles. There won't be time to wait to review these prior to Town Meeting.

Note: Article numbers are based on a draft warrant and will likely change as drafts are updated.

Article # 12: Table of Dimensional Requirement- Building Height in Green Business Park

Motion to put Article #12 on the warrant by Hoffman, second by Hewins.

Belbin stated that without having the actual verbiage, he is not comfortable voting to put the article on the warrant.

Townsend stated the wording as written will be put on the warrant and any changes will be done at Town Meeting.

Vote 3-2 (Belbin, Bogart)

Article #13: Definitions-Height of Certain Accessory Structures

Motion to put Article #13 on the warrant by Hoffman, second by Hewins.

Belbin would like the Planning Board to have their hearings. Townsend stated those hearings will not happen timely and we are voting on the wording that is before them tonight.

Vote 3-2 (Belbin, Bogart)

Article #14: Access Driveways – Nonresidential Premises

Motion to put Article #14 on the warrant by Hewins, second by Hoffman.

Vote 3-2 (Belbin, Bogart)

Article #15: Rezone from Highway Commercial (HC) to Green Business Park (GBP) District

Mr. Hoffman asked if all the articles the Board just voted on were submitted by the Planning Board. Mr. Fennessy said he was unsure. Ms. Hewins and Mr. Townsend said they would have to be. Mr. Belbin said the Redevelopment Authority could have put them forward, which Mr.

Townsend said was true. Ms. Weston said the Planning Board and Redevelopment Authority put them together jointly.

Motion to put Article #15 on the warrant by Hewins, second by Hoffman.

Vote 3-2 (Belbin, Bogart)

Article #21: Moratorium on Mounted Solar Photovoltaic Installations

Bogart stated the article acknowledges that there have been some issues with solar installations in town and tells residents that we are paying attention. The intent is not just to establish a new solar by-law committee, but rather to give time to town officials, town employees, outside experts, residents, etc, to reevaluate things like the current by-law, environment impacts, fees and PILOTS, etc; to discuss what's working, what could change, what should change, and potentially bring by-law changes to a future Town Meeting. The article does not remove the current solar bylaw, it is simply a pause and acknowledgement that things should be looked at more closely.

Hoffman asked if the petition articles were the same. Hoffman asked what happens when the topic is brought before Town Meeting more than once. Fennessy stated that hopefully the petition articles would be withdrawn since it is the same intent.

Motion to recommend Article #21 by Bogart, second by Belbin.

Vote 3-2 (Hewins, Townsend)

Article #22: Amend Section 3580- Exemptions from Large Scale Ground Mounted Solar Voltaic Installations

Ms. Hewins asked if this was a Planning Board article as she does not see a sponsor listed. Ms. Weston stated she believed it was the RDA. Ms. Hewins wanted to make sure that when the final warrant comes out, we know which Board put it on the warrant.

Motion to put Article #22 on the warrant by Hewins, second by Hoffman.

Belbin asked why it is on the warrant and Fennessy stated the kw capacity is larger than what is allowed under the bylaws. Hoffman stated this is for the Green Business Park only.

Vote 3-2 (Belbin, Bogart)

Article #26: Town Administrator Bylaw

Townsend stated that this has been discussed at previous meetings. Individual portions have already been voted on.

Section 3.3.3.4: There is updated wording since the last meeting that was submitted. Hewins stated it concerned her to leave the bylaw the way it is and drafted this wording. Belbin thanked Hewins for her work on this and would like the Town Administrator's focus to be on

the Town and not another job. Hewins clarified if it was, for example, serving on a committee in their hometown, they should be able to. Townsend thanked Hewins for her work on this and would like to see the wording kept simple and that the decision should be up to the each Select Board in the future.

Fennessy stated that he would suggest changing the wording to ...in their municipalities, as people could be board members in other areas, not necessarily in their hometown. Bogart would not want to preclude doing something admirable because it is restricted in the bylaw.

Motion to approve the wording for section 3.3.3.4 by Hewins, second by Belbin.

Vote 3-2 (Hoffman, Townsend)

Fennessy stated in regards to the 'Disciplinary' portion that Belbin would like included in the bylaw, Town Counsel provided an opinion.

Motion to put Article #26 on the warrant by Hoffman, second by Belbin.

Vote 5-0

Belbin stated he is willing to take out the wording, but would like the Board to act swiftly in the future.

Article #27: Yard Sale Bylaw

Belbin suggested this article and does not think the Town should have permits for yard sales. Hewins stated she does not see this as an issue. Townsend stated that he has seen traffic problems where residents on main roads have yard sales every day and it is an issue. If this is removed, there will be no way of dealing with it. Bogart stated if there is no fee for a permit, is there a fee for non-compliance. Belbin stated at the end of the bylaws it states there is a fine for breaking the bylaws. Hoffman agrees that 99% of residents don't even know that there is a bylaw for it. Hoffman does feel that he would like the permit for a flea market to remain.

Motion by Belbin to remove the words "yard sale" from section 8.3 of the bylaw, second by Hoffman.

Vote 3-2 (Hewins, Townsend)

Motion to put Article 27 on the warrant by Belbin, second by Hoffman

Vote 3-2 (Hewins, Townsend)

Motion to recommend by Belbin, second by Bogart

Vote 3-2 (Hewins, Townsend)

Article #28 Burglar Alarm Bylaw

Belbin stated he feels this is outdated due to people having cameras and would like this article removed.

Hewins asked if Belbin has spoken to Police Chief and he stated no.

Motion to put Article #28 on the warrant by Belbin, second by Bogart.

Bogart would like to know the merits of this and how many calls public safety receives for burglar alarms.

Vote 1-4 (Bogart, Townsend, Hewins, Hoffman)

Motion Fails

Article #30: Amend Sections 3166 & 3347- Site Plan Review Performance and Parking Lot Lighting Standards

Motion to put Article #30 on the warrant by Hewins, second by Hoffman.

Vote 3-2 (Belbin, Bogart)

Article #31: Zoning Bylaw Section 3500 Signs Amendment

Motion to put Article #31 on the warrant by Hoffman, second by Hewins.

Bogart stated that the Board was told several times that zoning enforcement could not happen without a full time Building Inspector and was surprised that the Planning Board would bring forward an article to put more responsibility on this job.

Hewins clarified that the Building Inspector is a Building Commissioner and they are also the Zoning Enforcement Officer.

Vote 3-2 (Belbin, Bogart)

Article #32: Amend Section 3521 Permitted Signs for Green Business Park (GBP) District

Motion to put Article #32 on the warrant by Hewins, second by Hoffman.

Vote 3-2 (Belbin, Bogart)

Article #33: Amend Section 2230 Use Regulation Schedule-Industrial-Allow Privately Owned Wastewater Treatment Facilities as an Accessory Use

Ms. Hewins asked if we knew who sponsored this article. Ms. Weston stated she did not.

This will be put on the next agenda for recommendation when there is more information on the article.

Article #34: Earth Removal Conditional Exemptions

This will be put on the next agenda for recommendation when there is more information on this article.

Article #35: Zoning Bylaw Section 2700

This will be put on the next agenda for recommendation when there is more information on this article.

Next Meeting: 3/8/2022- this will be a joint meeting with the Finance Committee and the location will be the Police Station meeting room at 6:00pm.

Minutes:

Motion to approve minutes of 2/1/2022 by Belbin, second by Hoffman.

Vote 5-0

Motion to approve Executive Session minutes of 2/1/2022 and not for release by Hoffman, second by Hewins.

Vote 4-0-1 (Belbin abstain)

Request for Best Buddies road race on June 4, 2022:

Motion to approve by Belbin, second by Hewins.

Vote 5-0

Select Board Community Announcements:

Bogart: None

Belbin: Is dismayed by the leadership in the Government in regards to Ukraine and asked people to protect their Town, State and Country.

Hoffman: Asked everyone to keep Shane in their thoughts as he battles his illness.

Hewins: Repeated the sentiments of Hoffman.

Townsend: Echoed the sentiments of Hoffman as well.

Fennessy gave an update on the Covid test distribution- he stated it went well and was slow but steady. Tests are available at the Board of Health. Townsend thanked Kevin Forgue for putting the distribution together. Townsend stated all the various 55 and over communities in town also received tests delivered to their representatives in the park.

Motion to adjourn by Hoffman at 7:40pm, second by Belbin.

Vote 5-0