



# TOWN OF CARVER

## Office of Planning & Community Development

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Carver, MA 020

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### Planning Board Minutes October 27, 2015

Posted in Accordance with the Provisions of M.G.L. Chapter 30A, Section 20B, authorized person Marlene McCollem.

The Carver Planning Board met on October 27, 2015, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, Massachusetts. Mr. Bruce Maki opened the meeting at 7:00pm.

**PRESENT:** Bruce Maki, Chair; Jim Hoffman, Vice-Chair; William Sinclair, Chad Cavicchi, Kevin Robinson

**ALSO PRESENT:** Marlene McCollem, Director of Planning and Community Development; Jill Martins, Administrative Assistant; members of the public

#### Public Hearing

MG Lotus, LLC—Special Permit—67 Main St. (Assessors Map 61-1-0)—proposed 6-unit townhouse development in a General Business District (Zoning Bylaw §§2230, 3900, 5300).

Filed with the Town Clerk: October 2, 2015

Last Meeting: December 31, 2015

Deadline: December 22, 2015

Mr. Maki read the public hearing notice for the record. Mr. Joe Webby, Webby Engineering spoke on the special permit request and advised that the architectural plans have been submitted. Mr. Maki asked if the townhouses will be age restricted – they will not be. Mrs. McCollem addressed the Board of her meeting with Technical Review Committee and spoke about the Town bylaw in regard to townhouses. Mrs. McCollem stated if the Project would be within the scope of work for the Rte. 58 project which would make timing an issue and may need to coordinate with MA DOT. Mrs. McCollem also advised the Board that she just received the revised plans today and has not had time to review. Before addressing the memo from Shawn Martin in regard to the project the Board needs to address whether they can allow duplexes. Applicant, Angela Chin, stated she was not aware of the bylaw. Mr. Sinclair explained the bylaw to Mrs. Chin and asked if a different design could be done that would meet the bylaw. Mr. Webby stated he could change the plans by redrafting the building but everything else would stay the same. There would be 2 buildings with 3 units in each.

Meeting was open to the public at 7:35Pm

Abutting neighbors spoke with their main concern being that a privacy fence to buffer the noise and to maintain privacy. Mrs. Chin stated she wants to keep neighbors happy. Mr. Sinclair asked the applicant what the schedule for clean-up is? Mr. Robison suggested it would be a good gesture to install a stockade fence for the neighbors. Mrs. McCollem advised Board they can make installing a fence a part of their decision.

Public meeting close at 7:48PM

**MOTION:** by Mr. Sinclair to continue public hearing to November 24, 2015 at 7PM with revised plans already being submitted.

**SECOND:** by Mr. Hoffman

**APPROVED:** UNANIMOUSLY

**Continuation: Public Hearing**

SMD Development, LLC – Special Permit – 133 North Main St. (Assessors Map 25-1A) –Proposed gas station with drive thru window (Zoning Bylaw §§2200, 3100, 3200, 3400, 3500, 3570).

Filed with the Town Clerk: September 9, 2015

Last Meeting: November 24, 2015

Deadline: December 8, 2015

Patrick McLaughlin and Mickey Higgins, SMD Development. Per the discussion at the previous meeting they have submitted revised plans. Added a dedicated loading zone and upgrading landscaping. Plans which reflect the upgrades have been shown to the Board. Mr. Higgins stated Conservation's approval on driveway, received storage license from the Selectmen and approval from Board of Health on septic. Looking for tonight's approval to then forward to MA Highway for final approval. Mrs. McCollem spoke with Shawn Martin slope and drainage can easily be added as conditions. If above meets the Boards satisfaction go ahead with approval and continue portion of sign permit to a later date.

No comments from the public.

**MOTION:** by Mr. Sinclair to close the public hearing excluding sign permit

**SECOND:** by Mr. Hoffman

**APPROVED:** UNANIMOUSLY

Mrs. McCollem prepared a written decision which Mr. Maki read into the record. Mr. Maki asked if there were any comments – none from Board. Mrs. McCollem stated to strike the area landscaping.

**MOTION:** by Mr. Sinclair to approve decision

**SECOND:** by Mr. Robinson

**APPROVED:** APPROVED BY ALL WITH THE ABSTENSION OF Mr. Robinson

Discussion on signage:

Packet given to members of the board showing the signage they are requesting. See copy in file. Mrs. McCollem recommended the Board approve the entire sign permit. 3570 of bylaw allows Board to approve. Mrs. McCollem will write the decision with the provision of shutting signage lights off when business is closed.

Public hearing on signage – No Comments from public.

**MOTION:** by Mr. Sinclair to close the public hearing on signage  
**SECOND:** by Mr. Hoffman  
**APPROVED:** UNANIMOUSLY

#### **OTHER BUSINESS:**

##### **A. Planning Board Notes** Nothing

##### **B Minutes:** September 22, 2015 and October 13, 2015

**MOTION:** by Mr. Hoffman to approve the minutes of September 22 as written  
**SECOND:** by Mr. Sinclair  
**APPROVED:** UNANIMOUSLY

**MOTION:** by Mr. Sinclair to approve the minutes of October 13 as written  
**SECOND:** by Mr. Cavicchi  
**APPROVED:** UNANIMOUSLY

##### **C. Correspondence:** Nothing

##### **D. Next meeting date:** November 17<sup>th</sup> instead of November 10

**Next Planning Board meeting will be held Tuesday, November 24, 2015 at 7PM**

**The Carver Planning Board meeting was adjourned at 8:44 pm on October 27, 2015**  
Respectfully submitted,  
Jill Martins

#### **Table of Documents**

Exhibit 1	Meeting Agenda – October 27, 2015
Exhibit 2	Hearing Notice for 67 Main St.
Exhibit 3	133 N. Main Decision
Exhibit 4	Minutes September 22 and October 13



# TOWN OF CARVER

## Office of Planning & Community Development

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Carver, MA 02330

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**PUBLIC MEETING NOTICE**  
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, SECTION 20B

### PLANNING BOARD MEETING

October 27, 2015

7:00 PM

Carver Town Hall Room #1

#### AGENDA

#### Public Hearing

MG Lotus, LLC—Special Permit—67 Main St. (Assessors Map 61-1-0)—proposed 6-unit townhouse development in a General Business District (Zoning Bylaw §§2230, 3900, 5300).

Filed with the Town Clerk: October 2, 2015

Last Meeting: December 31, 2015

Deadline: December 22, 2015

#### Continuation: Public Hearing

SMD Development, LLC – Special Permit – 133 North Main St. (Assessors Map 25-1A) –Proposed gas station with drive thru window (Zoning Bylaw §§2200, 3100, 3200, 3400, 3500, 3570).

Filed with the Town Clerk: September 9, 2015

Last Meeting: November 24, 2015

Deadline: December 8, 2015

#### Other Business

- A. Planning Board Member Notes
- B. Minutes –September 22, 2015; October 13, 2015
- C. Correspondence
- D. Next meeting date: November 17<sup>th</sup> instead of November 10<sup>th</sup>
- E. Adjournment



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### Public Hearing Notice

In accordance with the provisions of the Town of Carver Zoning by Law, the Carver Planning Board will hold a public hearing on

**October 27, 2015 at 7:00 PM**

**In the Carver Town Hall, Meeting Room #1**

On the application of MG Lotus, LLC requesting a Special Permit pursuant to Sections 2230, 3900 and 5300 of the Carver Zoning by Law, located at 67 Main Street in Carver, MA (assessors Map 61-Lot 1-0) to allow a 6-unit townhouse development in a General Business District.

Any persons interested and wishing to be heard should appear at the time and place designated. A copy of the plan is on file at the Town Clerk's office and may be reviewed during normal business hours.

Carver Planning Board  
Bruce Maki, Chair

Carver Reporter Publish Dates: October 9 and 16, 2015



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October 28, 2015

Ms. Lynn Doyle, Town Clerk  
Town of Carver  
108 Main St.  
Carver, MA 02330

**RE: Applicant—SMD Development LLC (#573)  
Special Permit & Site Plan Review—Motor Vehicle Service Station with a Drive through  
Facility – 133 North Main Street (Map 25-1-A)  
Title Reference: Book 37839 Page 80**

Dear Ms. Doyle:

At its meeting of October 27, 2015, the Planning Board voted to approve the Special Permit and Site Plan Review application of SMD Development, LLC for a gas station with a drive thru window and the associated parking, paving, drainage and landscaping at 133 North Main Street, as shown on the plans entitled: *"Proposed Retail Motor Fuel Outlet Site Development Plans for Assessors Map 25, Lot 1-A, 133 North Main Street, Carver, MA, Prepared for: SMD Development, LLC,"* (15 sheets). Prepared by MHF Design Consultants, Inc., dated September 2, 2015, last revised October 27, 2015, scale 1"=30' with the following findings and conditions:

### **Findings:**

The Planning Board held a public hearing for the above referenced plans under Sections 2230 (Use Regulations), 3400 (Drive Thru), and 5300 (Special Permit) of the Carver Zoning Bylaw on October 13 and October 27, 2015. The Board finds that the benefits of the proposed use outweighs any detrimental impacts on the Town and the neighborhood, in view of the particular characteristics of the site, pursuant to Sections 3400 and 5300 and the specific criteria found therein.

The Board finds that given the width of the highway layout along the property's frontage, that a 10' planted buffer is sufficient in the Highway Commercial Zone, instead of the 20' that is generally required.

The Board finds that due to the convenience store use proposed for the site, that a 10' planted buffer is not required along the front of the store at the main entrance.

The Planning Board finds that 10 parking spaces along the front of the store will better prevent onsite traffic congestion, and shall allow the applicant to exceed the 8-parking space maximum.

The Planning Board will not require a bike rack at the above location.

The Planning Board finds that given the location of the site adjacent to the ramps for the limited-access portion of Route-44, and that access to the site is governed by MA-DOT, an increase in the driveway width and access connections at the property line will be allowed. The driveway shall be 48' in width, aligned with the intersection with Montello Street, and a curb opening permit from MA-DOT shall be required, as conditioned below.

The Board finds that the storm water retention basins and storm water calculations shall be revised to conform to Town of Carver standards, per condition #5 below.

The Planning Board makes no findings as to the signs proposed for the property. No signs are approved as part of this permit, as conditioned below.

**Conditions:**

1. Prior to the issuance of a Building Permit, a true copy of the recorded decision, as registered at the Plymouth Co. Registry of Deeds shall be submitted to the Board.
2. The plans must be constructed as approved. Any revisions will require approval from the Board as a Modification of this decision.
3. No signs shall be permitted under this decision. The applicant must receive a separate approval from the Planning Board regarding all signs to be installed on the property.
4. A curb opening permit from MA-DOT is required. A copy of the permit shall be submitted to the Board prior to issuance of a Certificate of Occupancy.
5. Prior to the issuance of building permits, the drainage plans and calculations shall be revised. The drainage retention basins shall be designed and constructed with at 4:1 slope. The storm water calculations shall be revised to reflect the standards found in the Town of Carver's Regulations for Storm Water and Runoff Management that exceed the 100-year storm event.
6. The applicant is responsible for the proper operation and maintenance of the site. During construction sedimentation and soil erosion controls shall be installed, repaired, and supplemented as needed. Dust control is required during construction.
7. Any outstanding balance of the Review and Inspection Deposit Account shall be paid prior to the issuance of a Certificate of Occupancy.

Any appeal of this decision must be filed pursuant to MGL Ch. 40A, Section 17, and shall be filed within 20-days of the filing of this decision with the Town Clerk.

**Vote of the Board**

Mr. Maki:       yes  
Mr. Sinclair:   yes  
Mr. Cavicchi:   yes

Mr. Robinson:  abstain  
Mr. Hoffman:   yes

**Carver Planning Board**

\_\_\_\_\_  
Bruce Maki, Chair

\_\_\_\_\_  
Chad Cavicchi

\_\_\_\_\_

\_\_\_\_\_  
William Sinclair

\_\_\_\_\_  
Jim Hoffman

\_\_\_\_\_  
Date

Cc: Applicant  
Abutters  
Building Commissioner



# TOWN OF CARVER

## Office of Planning & Community Development

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### Planning Board Minutes September 22, 2015

Posted in Accordance with the Provisions of M.G.L. Chapter 30A, Section 20B, authorized person Jack Hunter.

The Carver Planning Board met on September 22, 2015, at the Carver Town Hall, Meeting Room # 4, 108 Main Street, Carver, Massachusetts. Mr. Bruce Maki opened the meeting at 7:05pm.

**PRESENT:** Bruce Maki, Chair; William Sinclair, Kevin Robinson, Chad Cavicchi

**ABSENT:** James Hoffman

**ALSO PRESENT:** Marlene McCollem, Director of Planning and Community Development; Jack Hunter and Jill Martins, Administrative Assistant; members of the public

#### NEW BUSINESS

**A. Receipt of Plans —MG Lotus LLC – Special Permit and Site Plan Review – 67 Main Street – Construct 6 townhouse units - Discussion**

Mrs. McCollem advised the Board that she reviewed the documents and everything appears to be complete. She suggested a Public Hearing date of October 27<sup>th</sup> at 7 pm.

**MOTION:** BY Mr. Sinclair to schedule the public hearing date on October 27, 2015 at 7 pm.

**SECOND:** by Mr. Cavicchi

**APPROVED:** UNANIMOUSLY

#### OLD BUSINESS

**B. 7:15 PM Public Hearing:** Rte. 44 Development – Special Permit – Map 20 Lot 2 – 3-4 Park Avenue – Site Preparation activities Section 4300 – discussion and possible vote.

Mr. Maki read the public notice. Mr. Hunter explained that the hearing had to be re-advertised due to 2 Board Members being out sick. He suggested asking if anyone was interested in hearing old evidence and if not to pick up where the last meeting left off.

Bruce Haskell, Engineer and George McLaughlin, Rte. 44 owner, spoke briefly on the old evidence and explained plans. Site prep will consist of upgrading the existing Access Road, perked soils and importing asphalt. The hours of operation will be 8am – 4pm, Monday through Friday.

Patrick Dunford, Traffic Engineer, discussed how a traffic count was conducted early Summer as well as research and observations in the area. Mr. Dunford personally viewed the area and reports no significant delays with slight "oddball" traffic patterns. With this project there will be an additional 30-50 trucks at the site beginning 8am with the last truck being roughly 2pm. He stated there will be about 5-9 trucks per hour during peak times. He does not foresee many delays with this activity.

Structural Engineer, Fuss & O'Neill, will monitor project on a quarterly basis. The stop line at Dunkin Donuts in the Silo Market area is faded and recommendations are made to re-stripe that line as well as moving the stop sign to a higher location, as well as posting a "truck turning" sign. There will be adequate sight lines up Montello Street as you approach the intersection. The wooded area will be cleared adding to better visibility.

The Board was asked if they have any questions to which Mr. Cavicchi suggested adding a stop ahead sign to better advise the public. Mr. Dunford did not feel it was necessary but would do so. Mr. Robinson asked who would pay for the clearing at Park Avenue and if it was safe for a vehicle to maneuver with a truck turning at the same time without encroaching either land. Mr. Robinson stated his is concerned for the safety of the public.

Mr. Hunter stated that the Board received a letter from the Attorney on the Walsh property easement. Mr. George McLaughlin introduced himself and stated that the easement has been in existence since the Meade Brothers owned the property and that they have every right to use the easement. Mr. Hunter advised that Fuss & O'Neil as well as Joe Salvetti, LSP, approved the revised plans and proposed conditions for the project. Mr. Hunter read the list of proposed conditions. Mr. Salvetti, Shawn Martin and the applicant all agreed with the conditions.

Mr. Maki opened the meeting to the public at 7:50PM

Melissa Singlesary, 4 Heathers Lane, Plympton Ma: Concerned with the hours of operation and feels she is getting mixed information. She wants to know specific hours of operation. Mr. Hunter stated that the hours were vague at the beginning but are Monday through Friday, 7am – 5pm, no weekends or holidays. She was also advised that processing at the site is not ongoing. Could process 3 days and then off for weeks. If there is a violation she was told to contact the Planning Board as there is a permit.

Ms. Singlesary is also concerned that the roadway up Montello Street becomes one lane during the winter. How will it accommodate trucks? Feels an accident is going to be unavoidable. Patrick Dunford advised that truck traffic will not be as active in the winter as materials are excavated and that will significantly drop.

Bob Belbin, Carver. Stated he is concerned since this was a contamination site is there testing of soils and once soil is moved will it be tested again? Advised that testing of the soils is a thorough and extensive process.

Richard Lane, 26 Montello Street, Carver. Concerned about vagrancy and putting cutting through. Will there be gates during construction? Engineer responded that he feels activity in the area, signage and fences will deter vagrancy.

Brian Pittster, 10 Heathers Path, Plympton. Addressed his concern traveling Rte. 58 from Plympton, vehicles cannot be seen. Can that corner be cut back? Town owns Montello side and

brush can be cut back. Engineer feels strongly about safety and will not allow trucks to take a left in that area. If it happens he will shut that company down.

Mr. Maki restated about the striping and signage and asked what we could about the turn at Montello. The engineer feels cars can still get through at a slower speed and the vegetation growth will be cleared by the town with normal maintenance. Mrs. McCollem stated per the layout the widest point is at the curve.

Jean Winslow, 28 Heathers Path, Plympton. Inquired if the town owned that corner and could they consider a separate entrance at Dunkin Donuts. Mr. Hunter stated that that had been discussed previously and a separate access could happen.

Kathleen Cohen, 20 Heathers Path, Plympton. Traveling on Montello Street people on Rte. 58 do not look as they turn into Dunkin Donuts. Engineer explained that Montello Street will not carry much of the truck traffic and traveling southbound on Rte. 58 by adding striping and signage should help advise motorists. Adding an island there would only cut down the space for trucks to turn.

Michael Jones, 7 Lakeham, Carver. Asked what was going on with the land across from Dunkin Donuts? Mr. Hunter stated a proposed gas station with a drive thru.

Richard Jackson, 4 Heathers Lane, Plympton. Is there any way to determine weight at the culvert? Engineer advise no, not without taking it apart. DHP evaluated the culvert to be fine. Mr. Hunter stated our engineer, DPW and the applicants engineer all deemed it safe. Mr. Jacskson then stated to the Board in good conscience how could you allow 50 trucks to travel a residential area on a daily basis. Please consider this before making your decision. Would you want that much traffic in front of your residential home?

Mr. Maki asked how many trucks? The engineer stated during a 6 month period, roughly 30 trucks but need flexibility.

Lisa Maffioli, 11 Heathers Path, Plympton. Width of the roadway is a concern for trucks and pedestrians who walk in that area. Would suggest sidewalks be added. Advised that trucks and car can see people in the area.

Mr. Robinson commented "sitting on this side of the table we are here for both sides. The developer seems that they are willing to meet the needs of what the residents want and what should be done. Engineer stated we want a safe operation. Once we are into the project we can redo roadways, etc.

Mr. Belbin stated what are the future plans? Why not do it in one stage instead of piece mailing it when we already know the entire stage for the future. Mr. Hunter advised that Mr. Belbin did not make the first hearing. The applicant is going through MEPA and meeting with Town and state officials. This needs to be done in stages to make it marketable. Mr. Maki asked if approved can we do a condition based on neighbors' concerns so they can come to us. Mr. Sinclair stated in the past (i.e., new Shaws plaza) there is always a way to address concerns. Correspondence to us from the public or an official from the town to us. Mr. Hunter suggested setting a time for a review. Ask abutters and the applicant to come in to address and concerns that may have arisen.

**MOTION:** BY Mr. Sinclair to close the public hearing at 8:55pm

**SECOND:** by Mr. Cavicchi  
**APPROVED:** UNANIMOUSLY

Mr. Sinclair suggested a 6 month review with the developer and Mrs. McCollem. Mr. Hunter suggested making it a condition that the developer have security on site, gated and a camera. Mr. Robinson stated another condition to be disciplinary action for truckers using the wrong Route. No left turn from Montello Street going North.

**MOTION:** by Mr. Sinclair to approve the Special Permit with conditions that were outlined.

**SECOND:** by Mr. Robinson

**Mr. Cavicchi voted NO**

**MOTION DENIED** due to the fact that a super majority is necessary for a special permit. Mr. Sinclair asked Mr. Cavicchi was his reason for a no vote was. Mr. Cavicchi stated he did not think they would make the improvements on Montello Street and was concerned for the safety of the residents. Mr. Hunter reminded the Board that one of the conditions was that operations could not start until all improvements are met by the Planning Board and the DPW. Mr. Cavicchi stated that he must have missed that part and was fine with it.

**MOTION:** by Mr. Sinclair to reconsider the vote

**SECOND:** by Mr. Robinson

**APPROVED:** UNANIMOUSLY

**MOTION:** by Mr. Sinclair to approve the Special Permit with all conditions as outlined

**SECOND:** by Mr. Robinson

**APPROVED:** UNANIMOUSLY

**MOTION:** PASSED

**C. 7:30 PM Public Hearing:** Southern Sky Renewable Energy – Special Permit and Site Plan Review – Map 16 Lots 12 and 13 – North Main Street – Large Scale Ground Mounted Solar Photovoltaic – discussion and possible vote

Mr. Maki read the public hearing notice. Jack advised this is the same situation. Had to re-advertise as 2 Board members were out sick.

Mr. Maki asked if anyone was interested in hearing old meeting information.

Jeff, Morse Engineering advised they meet with the Fire Department over their concerns with emergency access one of them. They will resurface the portions of concerns and will add 3 more gates. They will also fund a smaller vehicle for the fire department to access that area. The Fire Department wrote a letter that they are satisfied with the funding of a new smaller vehicle. Conservation also approved.

There were no comments from the public.

**MOTION:** BY Mr. Sinclair to close the public hearing

**SECOND:** by Mr. Cavicchi

**APPROVED: UNANIMOUSLY**

**MOTION:** BY Mr. Sinclair to approve the Special Permit

**SECOND:** by Mr. Cavicchi

**APPROVED: UNANIMOUSLY**

## **OTHER BUSINESS**

### **D. Planning Board Notes:**

Mrs. McCollem received an email from Dean Smith, Borego Solar asking for clarification between the PB decision and the Conservation Commission decision. The PB agreed that the transformer does not need a constructed poly liner because of the type of coolant that is proposed.

The address on the SP for the Ben Ellis School was wrong. The Board agreed to administratively correct it. It should be 247B Tremont Street.

### **E. Minutes: September 8, 2015**

**MOTION:** by Mr. Sinclair to approve the minutes of September 8, 2015 as written.

**SECOND:** by Mr. Maki

**APPROVED UNANIMOUSLY**

### **F. Correspondence**

3 new applicants to the Master Plan Committee: Judith Ward for Council on Aging, Jason Pecorelli, Historic Commission District, and Jim Nauen, Earth Removal

**MOTION:** by Mr. Sinclair to approve the 3 applicants

**SECOND:** by Mr. Cavicchi

**APPROVED UNANIMOUSLY**

**MOTION:** by Mr. Sinclair to adjourn

**SECOND:** by Mr. Cavicchi

**APPROVED UNANIMOUSLY**

**The Carver Planning Board meeting was adjourned at 9:23 pm on September 22, 2015**

Respectfully submitted,

Jill Martins

### **Table of Documents**

Exhibit 1 Meeting Agenda – September 22, 2015  
Exhibit 2 Receipt of Plans – MG Lotus LLC  
Exhibit 3  
Exhibit



**TOWN OF CARVER**  
**Office of Planning & Community Development**

TOWN CLERK

2015 SEP 18 AM 11 18

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**PUBLIC MEETING NOTICE**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A,  
SECTION 20B

**PLANNING BOARD MEETING**

**September 22, 2015**

**7:00 PM**

**Carver Town Hall Room #1**

**AGENDA**

**NEW BUSINESS**

- A. Receipt of Plans** – MG Lotus LLC – Special Permit and Site Plan Review – 67 Main Street- Construct 6 townhouse units – Discussion

**OLD BUSINESS**

- B. 7:15 PM Public Hearing:** Route 44 Development – Special Permit – Map 20 Lot 2 – 3-4 Park Avenue – Site preparation activities Section 4300 - discussion and possible vote

- C. 7:30 PM Public Hearing:** Southern Sky Renewable Energy – Special Permit and Site Plan review – Map 16 Lots 12 and 13 – North Main Street – Large Scale Ground Mounted Solar Photovoltaic – discussion and possible vote

**OTHER BUSINESS**

- D.** Planning Board Notes  
**E.** Minutes – September 8, 2015  
**F.** Correspondence



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### Planning Board Minutes October 13, 2015

Posted in Accordance with the Provisions of M.G.L. Chapter 30A, Section 20B, authorized person Marlene McCollem.

The Carver Planning Board met on October 13, 2015, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, Massachusetts. Mr. Bruce Maki opened the meeting at 7:04pm.

**PRESENT:** Bruce Maki, Chair; Jim Hoffman, Vice-Chair; William Sinclair, Chad Cavicchi

**ABSENT:** Kevin Robinson

**ALSO PRESENT:** Marlene McCollem, Director of Planning and Community Development; Shawn Martins, Consulting Engineer, Jill Martins, Administrative Assistant; members of the public

#### Public Hearing

**SMD Development, LLC** – Special Permit – 133 North Main Street, (Assessors Map 25-1A) - Proposed gas station with drive thru window (Zoning Bylaw §§2200, 3100, 3200, 3400, 3500, 3570).

Filed with the Town Clerk: September 9, 2015  
Last Meeting: November 24, 2015  
Deadline: December 8, 2015

Mr. Maki read the public hearing notice for the record. Present were Patrick McLaughlin, Civil Engineer for SMD Development and Heather Monticup, P.E., Traffic Consultant. Mr. Patrick addressed the existing conditions of the site and explained to the Board in detail what this proposed project would entail. Mr. McLaughlin stated the project would like to stay as close to the roadway as possible and are asking for special waivers. Exhibit 2 Ms. Monica advised the Board of her traffic study dated July, 2015. Advised that there is some clearing that needs to be done in the area and they will do that clearing. Mr. Maki asked Mr. Martin, Town Engineer, if he had the chance to review the plans. Mr. Martin stated he did and submitted his comments to the applicant. Mr. Martin stated that he had no major issues with the design, he felt the landscaping fell short of what is stated in the bylaws. Mr. Maki asked what Mr. Martin his thoughts on where the entrance is located, Mr. Martin stated it is in the best location given the circumstances.

Mr. Maki opened the meeting to the public at 7:56 PM.

Bob Belbin, 26 Gate Street, Carver – stated his concerns to the Board.

Mr. Sinclair asked when deliveries would occur and could they do a set delivery day and time. Grocery deliveries are twice a week during the hours of 8am-5pm with gas deliveries occurring after business hours. The Board stated they would like to schedule a site visit before final approval. Mr. Maki asked if there were any other questions – NONE. Public meeting was closed.

Applicant spoke briefly on what they would be seeking for signage. Applicant advised to bring updated plans to the next board meeting.

**MOTION:** by Mr. Sinclair to approve continue hearing to October 27, 2015 at  
**SECOND:** by Mr. Cavicchi  
**APPROVED:** UNANIMOUSLY

A site visit will be Tuesday, October 20, 2015 at 5PM with the Applicant

**Surety:**

Set dollar amount to be deposited per §3850.53 and condition #8 of the Special Permit for Borrego Solar at 0 Solar Circle.

Mrs. McCollem advised the Board of an email she received from Mr. Dean Smith. Part of the Boards previous decision was to set an amount of bond that needs to be posted. Board felt going for the maximum of \$137,083.00 was best.

**MOTION:** by Mr. Sinclair to set bond at \$137,083  
**SECOND:** by Mr. Hoffman  
**APPROVED:** UNANIMOUSLY

Applicant addressed Condition 8 of decision which specifies surety is required “Prior to the issuance of an Electrical Permit” they are requesting the Boards consideration in releasing the Building Permit prior to the placement of the surety due to the significant site work. The Board is ok with that as long as there is not electrical work done until the bond is posted.

**Discussion**

Proposed rezoning for a portion of the Carver’s Sportmen’s club to be submitted to the warrant for a December 1, 2015 Special Town Meeting

Mrs. McCollem was asked by the Town Administrator to bring to the Board’s attention a portion on the zoning map where the current zoning is RA that could possibly be rezoned to GB.

**MOTION:** by Mr. Sinclair to authorize the Director to reach out to the Sportsmen’s Club for rezoning  
**SECOND:** by Mr. Cavicchi  
**APPROVED:** UNANIMOUSLY

**Possible adjustments to the Planning Board procedures as outline in an October 7, 2015 memo by Marlene McCollem and possible adjustments to the Planning Boards preference for receiving meeting materials in advance and at the meeting.**

Mrs. McCollem addressed the Board on the preference in receiving meeting materials in advance and at the meeting. The Board was very receptive to the ideas proposed. Mrs. McCollem also provided the Board members with a memorandum which addresses the alternative ideas about the way the Board conducts its regular business.

**OTHER BUSINESS:**

**A. Planning Board Notes**

Mr. Sinclair advised that the next Master Plan meeting will be Monday, October 19 at 7 pm.

**B Minutes:** September 22, 2015 The Board was given a rough draft of the minutes. Mrs. McCollum suggested they table them for tonight and bring back for next meeting.

**C. Correspondence:** Nothing

**D. Discussion of open meeting law complaint filed by Mr. Belbin**

Mr. Maki read an email from Town Administrator, Michael Milanoski. Minutes will be released to the public and give authorization to Town Council to respond on their behalf.

**MOTION:** by Mr. Sinclair to authorize Town Council to respond on behalf of the Board

**SECOND:** by Mr. Hoffman

**APPROVED:** UNANIMOUSLY

**MOTION:** by Mr. Sinclair to adjourn

**SECOND:** by Mr. Hoffman

**APPROVED UNANIMOUSLY**

**The Carver Planning Board meeting was adjourned at 9:35 pm on October 13, 2015**

Respectfully submitted,

Jill Martins

**Table of Documents**

Exhibit 1	Meeting Agenda – October 13, 2015
Exhibit 2	SMD _ Special Waiver Request
Exhibit 3	Surety – Borrego Solar at 0 Solar Circle
Exhibit 4	Planning Board Rules/Regulations
Exhibit 5	Meeting Minutes of September 22, 2015