



# TOWN OF CARVER

## Office of Planning & Community Development

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### Planning Board Minutes May 7, 2013

The Carver Planning Board met on May 7, 2013, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, and was opened at 7:07 pm.

#### PRESENT:

Bruce Maki – Chair  
Rosemarie Hanlon – Vice Chair  
Chad Cavicchi – Secretary  
Kevin Robinson – Member  
William Sinclair – Member

#### ALSO PRESENT:

Jack Hunter, Director of Planning and Community Development; Grant Gao, Excel Signs;  
Gregory Morse, Morse Engineering; members of the public.

#### RE-ORGANIZATION:

The meeting was turned over to Ms. Hanlon, who took nominations for Chair.

**MOTION:** by Mr. Sinclair to nominate Bruce Maki as Chair

**SECOND:** by Mr. Cavicchi

**UNANIMOUSLY VOTED**

The meeting was returned to Mr. Maki for further nominations.

**MOTION:** by Mr. Sinclair to nominate Rosemarie Hanlon as Vice-Chair

**SECOND:** by Mr. Cavicchi

**UNANIMOUSLY VOTED**

**MOTION:** by Mr. Sinclair to nominate Kevin Robinson as Secretary

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

#### NEW BUSINESS:

##### A. Sign Permit –Tan’s Gourmet -80 Main St. (#13-S-407)

Mr. Grant Gao of Excel Signs appeared, representing the owner of Tan’s Gourmet, to present the plans for a building sign over the store. Mr. Gao presented calculations showing that the sign/wall ratio is within the 10% allowed, and will be lit by pre-existing goose-neck lamps.

**MOTION:** by Mr. Sinclair to approve the sign, conditional on a building permit

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**B: Receipt of Plans – South Coast Construction - Special Permit to exceed sign dimensions (#13-SP-408)**

**MOTION:** by Mr. Sinclair to schedule a public hearing on June 4, 2013, at 7:15pm

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**OLD BUSINESS:**

**C: 7:15PM Public Hearing – Proposed Zoning Amendments – Changes to definitions and Accessory Apartments by Citizens Petition (#13-Z-403/404)**

Mr. Maki opened the public hearing on proposed changes to the Carver Zoning Bylaws (notice, Exhibit 4-A) at 7:20 pm. There are three proposed bylaw changes, two Citizens' Petitions and one for a medical marijuana moratorium.

Mr. Bob Belbin of 26 Gate Street, Carver, presented a Citizens' Petition requesting Zoning Bylaw definition changes (Exhibit 4-B). Definitions to be changed are: accessory apartment, dwelling unit, duplex or two family dwelling, and family. Definitions to be added: bathroom facilities, single family home, and family dwelling addition. Definition to be removed: dwelling, two family. Mr. Hunter posed questions as to the acceptability of the proposed changes and suggested that the proposed changes be reviewed by the Building Commissioner, and the Board of Health. Ms. Hanlon stated she would want to research the proposed before discussing. Mr. Maki inquired if we could seek legal advice.

Mr. Belbin then presented a Citizens' Petition requesting to add to the bylaw definitions, "Family Dwelling Addition" (Exhibit 4-C). The wording would allow home owners to build an addition to their dwelling without having to go through the Zoning Board and without having to be renewed every three years. Mr. Hunter suggested we should review this with the Assessor.

There were no public comments.

Ms. Hanlon read a statement (Exhibit 4-D) with regard to the Medical Marijuana Moratorium (Exhibit 4-E), moratorium to be in effect until June 30, 2014. Ms. Hanlon said she would reach out to the Superintendent of Schools to get her input for the sub-committee, if formed. Mr. Belbin stated that the sub-committee should include members of the public.

**MOTION:** by Mr. Sinclair to continue the public hearing on proposed zoning changes to May 21, 2013, at 7:20pm

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**D: 7:30PM Public Hearing – Proposed Zoning Map Amendment –Federal Road - (#13-Z- 397)**

Mr. Hunter asked that the hearing be continued as Town Counsel found a small error in the original public hearing notice and it needs to be re-advertised.

**MOTION:** by Mr. Sinclair to continue the public hearing on proposed zoning map amendment to May 21, 2013, at 7:30pm

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**E: 7:45PM Public Hearing (continuance) – South Coast Development – 303 Tremont St - Special Permit/Site Plan Review: Gas Station/Drive through Restaurant (#13-SP/SPR-401)**  
Mr. William Madden of GAF Engineering submitted a request (Exhibit 5) to continue the public hearing for South Coast Development, in order to revise the plans in response to the Conservation Committee's review.

**MOTION:** by Mr. Sinclair to continue the public hearing for South Coast Development to May 21, 2013, at 7:45pm

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**F: 8:00PM Public Hearing (continuance) – Norfolk Power Equipment – 45-47 North Main St - Special Permit/Site Plan Review: retail/Outdoor Display (#13-SP/SPR-400)**

Mr. Gregory Morse of Morse Engineering appeared as representative for Norfolk Power Equipment, stating that all outstanding issues had been addressed. The Conservation Committee met and approved the plan, Fuss & O'Neill sent a memorandum stating that their prior comments had been addressed (Exhibit 6-A), and Mr. Hunter stated that the Fire Department had approved the 30,000 gallon cistern. Morse Engineering submitted a color scheme (gray) for the front (Exhibit 6-B) and a luminaire schedule (Exhibit 6-C).

Public Comments: Mr. Domingo Fernandes of 43 North Main Street, Carver, was concerned that he did not receive the public hearing notice before the date, as it was sent to his mother's address. He met with the property owners and now has no concerns. Mr. Bob Belvin inquired if there will be limitations on delivery hours. Mr. Morse stated that the business would be open usual business hours.

Mr. Sinclair stated that the plan was a good fit with the Carver Master Plan.

**MOTION:** by Mr. Sinclair to close the public hearing for Norfolk Power Equipment

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**Public Hearing closed at 8:20pm.**

**MOTION:** by Mr. Sinclair to approve the Special Permit for Norfolk Power Equipment with standard conditions

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

#### **OTHER BUSINESS:**

##### **G: Planning Board Notes**

- 1) Kingsbury Hollow has a cash surety that comes before the Board every year. They wish to extend the Covenant another year (Exhibit 7).
- 2) Proposed Road Acceptance – Marion Drive: The Planning Board holds a covenant on the lot off Plymouth Street (Exhibit 8). A public hearing has been set for May 21, 2013, at 7:15pm, to accept Marion Drive as a public way. This is a warrant on the Town Meeting.
- 3) The Planning Board received a Declaration of Restrictions (Exhibit 9) from The Residences at Sampson's Pond, needing signatures of the Planning Board.

**H: Planners Notes:** none

**I: Approval of Minutes: April 16, 2013**

**MOTION:** by Mr. Sinclair to approve minutes of April 16, 2013 as written

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**J: Correspondence**

The Planning Department received a copy from of a Notice of Appeal of the Building Commissioner's letter/order of April 3.2013, to cease and desist work on Rocky Meadow Development (Exhibit 11) from Shephard S. Johnson, Jr. & Associates, PC.

The Planning Board received a request to change the location of the dumpster at the Dunkin Donuts at 2-D Montello Street, from what was originally approved, so as to keep the concrete pad as a patio. Location change appears on the attached site plan (Exhibit 12). The Board agreed that the new location is a better placement.

Mr. Sinclair raised the concern brought forth by the RDA of registering time and date of approval of minutes on posted documents, and also stated he would like to see the Planning Board move toward electronic transmission/access of documents, perhaps through the use of i-pads.

Mr. Maki saw the broadcast of the LHP meeting, discussing the need to rehabilitate foreclosed and abandoned homes.

**E. Adjournment**

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

**SECOND:** by Ms. Hanlon

**UNANIMOUSLY VOTED**

**The Carver Planning Board meeting was adjourned at 8:32pm on May 7, 2013.**

Table of Documents

Exhibit 1	Meeting Agenda - May 7, 2013
Exhibit 2	Sign Permit Application - Tan's Gourmet - 80 Main St. (#13-S-407)
Exhibit 3	Special Permit Application - South Coast Construction (#13-SP-408)
Exhibit 4-A	Public Hearing Notice – Proposed Zoning Amendments
4-B	Citizens' Petition – Changes to Definitions
4-C	Citizens' Petition – Accessory Apartments
4-D	Statement from Ms. Rosemarie Hanlon re: Medical Marijuana Moratorium
4-E	Medical Marijuana Moratorium
Exhibit 5	Request from William Madden, GAF Engineering, re: South Coast Development, 303 Tremont St
Exhibit 6-A	Fuss & O'Neill Memorandum re: Norfolk Power Equipment, 45-47 North Main Street
6-B	Norfolk Power Equipment - color scheme
6-C	Norfolk Power Equipment - luminaire schedule
Exhibit 7	Kingsbury Hollow extension of cash surety request
Exhibit 8	Marion Drive land Covenant
Exhibit 9	The Residences at Sampson's Pond Declaration of Restrictions
Exhibit 10	Planning Board Minutes April 16, 2013
Exhibit 11	Shephard S. Johnson, Jr. & Associates letter – Rocky Meadow Notice of Appeal
Exhibit 12	Dunkin Donuts, 2 Montello Street – Site Plan with new dumpster location