



# TOWN OF CARVER

## Office of Planning & Community Development

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### Planning Board Minutes August 20, 2013

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

The Carver Planning Board met on August 20, 2013, at the Carver Town Hall, Meeting Room # 1, 108 Main Street, Carver, MA. Mr. Bruce Maki opened the meeting at 7:00 pm.

**PRESENT:** Bruce Maki, Chair; Rosemarie Hanlon, Vice Chair; William Sinclair, Member

**ABSENT:** Kevin Robinson, Secretary; Chad Cavicchi, Member

**ALSO PRESENT:** Jack Hunter, Director of Planning and Community Development; Amy Walsh; Evan Watson, Prime Engineering; Jon Delli Priscoli; Arthur Borden, AFB Associates; members of the public

#### NEW BUSINESS:

**A. Receipt of Plans – Form A – Coll/Hardben, 22/24/26 South Main St (#13-A-416) (Exhibit 2)**

Mr. Hunter presented the application of Mr. Pierre Coll and Mr. Chandler Hardben to subdivide two lots at 22 and 26 South Main Street into three. The wetlands have been flagged and approved by the Conservation Commission. The engineer will have the plans at the next meeting. The lots have the appropriate frontage, size and access. The lot size is 1.5 acres and has more than 70% upland, with frontage of 150'. Mr. Hunter reiterated that the Planning Board is obligated to approve a Form A application if the lots are on an existing way, have access, frontage and lot size. The application will be scheduled for endorsement at the next meeting on September 3, 2013.

**B. Sign Permit – Amy Walsh, Rte. 58 Thriftique – 71 Main St, 1A (#13-S-417) (Exhibit 3)**

Ms. Amy Walsh presented her application for a sign permit for the Rte 58 Thriftique store located within the Cedar Spring Plaza. She was told by the Clerk and Building Inspector that she did not need a permit, that the sign was grandfathered, so the sign has already been installed. The same sign, 12" high, will be used for the marquee.

Ms. Walsh informed the Board that the store will have quality inventory, obtained through donations, consignment, and auctions. The store will be open Tuesday through Saturday, from 10:00am to 4:00pm.

Ms. Hanlon inquired if there will be any lighting on the sign. Ms. Walsh replied that they have pulled a permit to replace two pre-existing spots.

**MOTION:** by Mr. Sinclair to approve the application of Ms. Walsh, with no building permit needed and no additional lighting

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**C. Neighborhood Citizens' Petition – Pine Street: Drainage/wetlands, Traffic issues**

Mr. Maki stated that this item would be addressed with the Edaville Railroad plan revisions.

**OLD BUSINESS:**

**D. 7:15PM Public Hearing (continuance) – Form C – Sunshine Preserve/Rocky Meadow Development Corp. (#13-C-410)**

Mr. Hunter stated that the Board had done a site visit and that the revised plans had met all the by-laws with no waivers, and that the review committee members had signed off on them (Exhibit 4).

However, there was an outstanding balance due for the review and inspection account for the property (Exhibit 5). Mr. Evan Watson of Prime Engineering presented a check to Mr. Hunter for the amount due. Mr. Watson informed the Board that after having met with the technical review committee, they revised the plans to address the concerns. He then reviewed the plans for those present.

Mr. Maki opened the hearing to public comment. There was none.

**MOTION:** by Mr. Sinclair to close the public hearing for the Sunshine Preserve, Form C application

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**Public Hearing for the Sunshine Preserve, Form C application, closed at 7:20pm.**

Mr. Hunter recommended tabling the vote on the decision until September 3, 2013, to allow time to write an accurate decision.

**OTHER BUSINESS:**

**E. Edaville Railroad – Plan revisions**

Mr. Hunter reminded the Board that in April of 2012, the Planning Board approved a minor modification for the entranceway to Edaville Railroad. Three weeks ago the owner, Mr. Jon Delli Priscoli, approached Mr. Hunter about making a change to the approved modification (Exhibit 6). Mr. Arthur Borden handed the Board plans (Exhibit 7) and reviewed them. The originally approved modification showed two buildings on either side of the entrance joined by an archway. The new proposal would be to have a freestanding archway, before the buildings but behind the original fencing. The columns would have a steel core that would be wrapped and coated to look like granite.

Mr. Delli Priscoli described the landscaping detail for the parking lot and entrance. There will be over 200 evergreen trees planted on the berm, along with wildflowers to soften and insulate the noise. There will be Victorian lamps along the street and an extra turning lane in the road. He also informed the Board that they had installed five additional catch basins with drainage that were not required originally.

Mr. Sinclair clarified that the only change is the separated archway and stated that it is an improvement. Mr. Maki agreed that it looks nice and stated that it is a very minor change.

**MOTION:** by Mr. Sinclair to approve the minor modification of the entrance building and archway for Edaville as presented on the plan dated 8/7/13

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**Neighborhood Citizens' Petition – Pine Street: Drainage/wetlands, Traffic issues**

Mr. Maki read the citizens' petition received August 15, 2013, at 9:10am (Exhibit 8), which states:

We, the undersigned respectfully request that the Town of Carver issue no additional building permits or approve any plans put forth by the owner of Edaville Railroad until such time as a traffic survey and a wetlands/drainage survey can be performed,

to guarantee that emergency vehicles will be able to get to our neighborhood without delay and no further water damage will be done to surrounding areas.

Ms. Jeanne Taylor of 24 Pine Street, an abutter, spoke of the petitioners concerns, saying that the catch basins are not functioning properly, that every time it rains there is a flood that crosses the street flows down her driveway and creates a large puddle at the bottom of the hill, and that when the park is open the traffic back-up is so heavy it takes her 45 minutes to get to Rochester Road. She also expressed concern for the trees being removed and its affect on wildlife.

Mr. Hunter had a letter from Mr. William Halunen, Carver DPW Superintendent (Exhibit 9), stating he doesn't believe there is a drainage problem, and that the current police chief does not believe there is a traffic problem. Mr. Hunter said he would double-check with each given Ms. Taylor's statements.

Mr. Mike Tuffy of 1 Pine Street reiterated Ms. Taylor's concerns with drainage and traffic as well as the garbage in the parking lots, which blows into his yard. He has a two year old son with ARS, and so it is vital that there is a traffic through-way for emergency situations.

Mr. Ken Boughter of 34 Pine Street expressed his concerns about the public being informed of future developments, such as a water park, and that when Ms. Brenda Johnson did a walk-through of the property last year she said that three rows of pine trees would be left as a buffer, but they have been removed.

Mr. David Burns of 36 Pine Street also stated that Edaville has not honored their original agreement to leave the town trees and that the traffic is a nightmare. He said there is no emergency entrance into the park, that cars park within two feet of the road and people are in the street as they remove items from their cars, and that a police officer is needed to direct traffic.

Ms. Patti Maloney of 20 Pine Street reiterated the need for access for emergency vehicles as she has an 18 year old daughter with cerebral palsy.

Mr. Peter Potenza of 26 Pine Street confirmed the water flow that washes down Ms. Taylor's driveway and that traffic is a serious issue.

Mr. Mike Shaw of 120 Cranberry Road said he has worked at Edaville and believes that they are willing to work with their neighbors. He said they have trash barrels in the parking lot and they clean up the lot every day, that there is a right turn lane so through traffic has a travel lane, and that Mr. Delli Priscoli has worked hard with Mr. Halunen to resolve the drainage issue.

Ms. Heather Sanson of 4 Cherry Hill Drive said she had called Edaville and spoke with someone about the parking and trash.

Mr. Maki asked if there were any other abutters who would like to speak. Ms. Melissa Potenza of 26 Pine Street said they had not had any problems with Edaville until recently, and that was due to a lack of disclosure.

Mr. Delli Priscoli gave a history of Edaville, stressing its family appeal and its positive impact for the town and its residents. He stated that he had made an investment in the property based on its tourism zoning, believing that he could do anything with the property. He said there will be 300 jobs with this project, but that every project has an impact. He addressed the concerns that had been spoken by the abutters. Mr. Delli Priscoli said that all the rain that falls on Edaville stays on the property. He said that Mr. Halunen asked them to install additional catch basins and they did,

and that he agreed to fix any problems that Mr. Halunen found, but there were none. He stated that there are four trash barrels in the parking lot and that the garbage is cleaned up daily.

Mr. Delli Priscoli informed the Board that they had had an open house for the neighbors to walk around the property, and that nothing had changed from the master plan. He addressed the emergency access issue, stating that there is access at both ends of Pine Street and also through the bogs. Currently Edaville is open 60-75 days per year. He said he plans to have it open spring through fall, and so the traffic would not be so dense because the visitors would be spread out over a longer period of time.

Mr. Delli Priscoli reviewed the construction work being done recently, describing the relaying of the parking lot with crushed asphalt to absorb water and the construction of berms that will be planted with trees and wildflowers. He asked that judgement be withheld until the landscaping is complete. He also affirmed that police details are hired when there is a need.

Ms. Hanlon asked Mr. Delli Priscoli for clarification on the access through the bogs, since the Police Chief had worked with AD Makepeace to block access through the bogs. Mr. Delli Priscoli answered that he has a mutual easement agreement with AD Makepeace for 24/7 access if needed, and that a gate will be installed and security hired when Edaville is fully developed.

Mr. Maki stated he would like to walk the site once the bulk of the work has been done, which would be in approximately one and a half months, but Ms. Hanlon said she would like to see the site sooner.

Mr. Paul Johnson of 3 Laurie Lane reiterated the interconnected link between the Town of Carver and Edaville, and that we need to support Mr. Delli Priscoli so that he can continue to pay taxes so that others don't have to and to bring in tourism.

Mr. James Carvill of 20 Shoestring Road stated that he had worked at Edaville for six years and never noticed a problem, nor was there any drinking.

Mr. Edward Riley of 9 Douglas Drive said he has lived in Carver for 22 years and worked for the Town's emergency vehicle service for 12 years, and there was never a problem getting into the park.

Ms. Cynthia Sherman Lauzon of 18 Lakeview Street, a Carver resident for 12 years, expressed her appreciation to Mr. Delli Priscoli for employing her children and for inviting Carver residents to attend Edaville for free.

Ms. Helen Marrone of 8 Harvest View Way stated she was speaking as an individual, not as a Selectman. She said that she has gotten to know Mr. Delli Priscoli as a businessman and that he is a man of character and that he would work with the residents if they contacted him directly. Ms. Hanlon asked Ms. Marrone why the residents would say these negative things, and Ms. Marrone had no answer.

Mr. Jack Franey of 37 Forest Street also stated he was speaking as an individual, not as a Selectman, and reiterated that Mr. Delli Priscoli would like to work with the abutters to resolve any issues.

Mr. Dick Ward of 20 West Street stated he was speaking as an individual, not as a Selectman, and that he was enthusiastic about Edaville, but that the abutters should be listened to. Ms. Hanlon suggested that the Selectmen should work with the abutters and form a sub-committee to resolve

the issues. Mr. Ward replied that he believes this falls within the realm of the Planning Board, but he could make suggestions.

Mr. Hunter acknowledged that everybody was right and that a walk-through is needed, along with more open communication. Mr. Delli Priscoli would like the Planning Board to do a site visit to review the technicalities and then a visit with the residents.

Mr. Sinclair said that he has seen many plans for Edaville, and that the Planning Boards have worked with Mr. Delli Priscoli to help him reach his goals. He acknowledged that the Planning Board has to answer to all residents, that there is a traffic problem but that it can be resolved. He said that the Board hears the issues raised by the neighbors and asked them to work with Mr. Delli Priscoli and the Board to make it work.

**MOTION:** by Mr. Sinclair to schedule a site visit for the Planning Board at Edaville on Tuesday, September 10, 2013, at 5:00pm

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**MOTION:** by Mr. Sinclair to schedule a site visit at Edaville for the residents on Monday, September 23, 2013, at 5:00pm

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**F. Planning Board Notes:**

Mr. Sinclair announced that the Carver Redevelopment Authority, in cooperation with Aubuchon in Carver, has an exterior paint program, in which eligible residents can receive up to \$20 off per gallon of paint at Aubuchon's. This benefits the Town by helping residents with the upkeep of their homes.

**G. Planner's Notes:**

Mr. Hunter informed the Board that there will be a technical review meeting on Thursday, August 22, 2013, at 10:00am, for the Crop Production Services proposal. There have already been many meetings regarding use, and it has been determined that there will be one building with a sprinkler system.

Mr. Hunter also informed the Board that a request for proposals for the North Carver Landfill solar project will be published shortly, and that the applicant for the bid to buy foreclosed homes (The Resource, Inc.) was interviewed.

**H. Approval of Minutes: July 16, 2013 (Exhibit 10), August 6, 2013 (Exhibit 11)**

Minutes of July 16, 2013 to be tabled until next meeting, in anticipation of having present a majority of Board members who were present at the meeting.

**MOTION:** by Mr. Sinclair to approve minutes of August 6, 2013 as written

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY at 7:15pm**

**I. Correspondence:**

Mr. Hunter received notice on August 8<sup>th</sup> that there was a MEPA quarterly meeting with AD Makepeace on June 26 and 27, 2013, at which solar projects were proposed (cover page Exhibit 12).

Mr. Hunter also informed the Board that Carver's CDBG application was not funded (Exhibit 13), but that he would be meeting with the Interim Town Administrator and the grant writer to review why we did not, and whether to go forward. The competition was very competitive. Carver invested in the Crystal Lake target area, but Halifax did not invest in their target areas. He said we need to ask Halifax if they intend to invest in their neighborhoods, and if not, Carver may need to find an alternate partner.

Mr. Hunter advised the Board that a site visit is needed for Southern Sky, Ravenbrook Landfill.

**MOTION:** by Mr. Sinclair to schedule a site visit for the Ravenbrook Landfill on August 26, 2013, at 5:00pm

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**J. Adjournment:**

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

**SECOND:** by Ms. Hanlon

**APPROVED UNANIMOUSLY**

**The Carver Planning Board meeting was adjourned at 9:18pm on August 20, 2013.**

**Table of Documents**

Exhibit 1	Meeting Agenda – August 20, 2013
Exhibit 2	Form A application and plan, Coll/Hardben, 22/24/26 South Main St
Exhibit 3	Sign Permit application, Amy Walsh, Rte 58 Thriftique
Exhibit 4	Sunshine Preserve Technical Review reports
Exhibit 5	Rocky Meadow Development R&I report
Exhibit 6	copy of Edaville Minor Modification Decision of April 18, 2012 and plans
Exhibit 7	Proposed Site Improvements for Edaville
Exhibit 8	Citizens' Petition
Exhibit 9	letter of William Halunen dated 8/19/13
Exhibit 10	Planning Board Minutes July 16, 2013
Exhibit 11	Planning Board Minutes August 6, 2013
Exhibit 12	1 <sup>st</sup> page of letter from Beals + Thomas, dated 8/5/13
Exhibit 13	letter from DHCD, dated 8/8/13