Approved 12.13.16

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, November 29, 2106, Carver Town Hall, Meeting Room # 1. This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; James Hoffman; Kevin Robinson; William Sinclair

Also present: Marlene McCollem, Director of Planning and community Development

Absent: Chad Cavicchi

Bruce Maki, Chairman, opened the meeting at 7:02 PM, followed by the pledge of allegiance.

Discussion:

Williams Brothers, Inc.

Preliminary Subdivision Plan for a proposed 10 lot conservation subdivision off of High Street (Map 30-10-6,7,S) with a proposed layout for "Ewell Street" under Chapter 41, Section 81-L.

Filed with the Town Clerk: November 1, 2016
Last Meeting: December 6, 2016
Deadline: December 16, 2016

Katie Konary along with Jack Williams from Williams Brothers Inc., are in attendance. Ms. Konary: This is a 26 Acre lot; with a proposal for 10 lot subdivision. Revisions to the plan were made based on suggestions at the last meeting.

- Conventional plan –

- We eliminated the rear lot. Revised lot lines 5,6,7,8 and eliminated rear lot. All lots now meet requirements.

- Conservation plan -
  - Adjusted lot line 7,8,9 to allow 50' frontage on every lot in compliance with 3700 of the bylaw.
- No changes on roadway.
- We also incorporated a change, based on feedback from the Fire Department.
  - The existing woods road goes thru lot 8 with access to open space. FD wants existing woods road to be surfaced at least 12 feet wide and cleared of obstructions to a distance of 2 feet on each side.
- Pretreatment device will be added to treat prior to subsurface leaching system.

Ms. McCollem agrees with all changes and feels we can move forward; the bylaw is taken care of. The next step is two parts.

1. Definitive Plan, subdivision
2. Issue a special permit for the open space subdivision.

Ms. McCollem: Preliminary plans are simply guidance for the definitive plan. I put together a motion so that you can close the loop on this application. A copy of the letter was included in meeting packet. Mr. Maki read the letter to the audience.

Motion to approve preliminary plan with conditions: Mr. Sinclair
Second: Mr. Hoffman
Approved: Unanimous

This will be signed tonight and Ms. McCollem will file it with the town clerk.

<u>Sign Permit:</u>

- *Just for You Nutrition Store at 2 Montello Street:*

Ms. McCollem: This meets all requirements. The directory sign is pretty full, which will require this sign to be placed vertically. Mr. Sinclair is concerned that this is not allocated in the approved marquis. Ms. McCollem: We can approve the just the wall sign. Mr. Sinclair would like the owner of

the property to come back with a modification / additional information for the directory sign. Ms. McCollem will add condition that the wall sign can be approved but not the directory sign until modification/changes made. Mr. Maki agrees that modifications would be needed. Mr. Maki asked if there are any other thoughts. Mr. Robinson is in agreement that the owner of the property would need to come in. Mr. Hoffman – Are there any lights? Ms. McCollem- No lights have been proposed. Mr. Robinson – How many businesses are in there? Ms. McCollem – I am not sure. Not sure where this business is going. There is a vacant store front but doesn't appear to accommodate this business. The space on the sign doesn't seem to match the number of units. Mr. Sinclair – they probably redid the marquis to include only the number of tenants at that time.

Motion to approve sign permit with modification of approval only on the wall sign to include a building permit for directory sign: Mr. Sinclair
Second: Mr. Robinson
Approved: Unanimous

Planning Board's role in the North Carver Urban Renewal Plan local approval process:

Mr. Sinclair excused himself as he is the Chair of the Carver Redevelopment Authority.

Ms. McCollem handed out copies of the plan and indicated that they are still in process; a final plan will be distributed when available. The redevelopment area is the old Whitworth Property in N. Carver. You have a series of maps and materials that have been presented. There are a number of steps that have to be completed before going to the state.

1. Redevelopment will vote first.
2. The local planning board has to make 2 findings.
    a. Your vote is very specific. You have to decide that you can find that the plan is in concert with a master plan for the community. We have outlined all prior plans and documents that have been building up to the point. You have a well documented track.
    b. The plan was put together, based on a survey – Methodology is based on the ground conditions and up to date info. We have documented site visits, public records for properties have been utilized.
3. Vote by Board of Selectman. They will hold a public hearing and then vote on whether to submit to state.

This is just an introduction as to what your role will be. We won't ask for your vote until you are more familiar with this project. Mr. Maki: Will we need to vote at the next meeting? Ms. McCollem: We will continue to put this item on your agenda until the Redevelopment Board votes. Mr. Maki: How much longer do you anticipate? Ms. McCollem: We are still working on it, Redevelopment has a meeting scheduled for December 12, 2016. As we get revisions, I will email them to you. Any questions you have, just ask. This is different than the types of plans that are usually handled by this board. Mr. Hoffman: Is the details of the master plan and harmony of town plan included in this hand out? Ms. McCollem referred to Section 2 of Renewal Plan – Project area eligibility, page 13 – There is a section called Planning and Redevelopment Efforts to Date, Page 14 starts the list as to where objective has been identified. Mr. Maki: Any other questions? None

7:30 pm - Mr. Sinclair rejoined the meeting.

Articles for April Town Meeting:

Ms. McCollem: I've developed a list of items we may want to take a look at. I would like to get an idea from the board on whether these are things they want to move forward for the town meeting.

- ***Bedroom density limit revision to the Water Resource Protection District – Section 4300 of zoning bylaw***

The purpose of this section is to protect the public safety, etc. What uses are prohibited, etc. The protection district is town wide. All lots are subject to this. The district is silent on residential density. We have such a limited are of public water area, what happens is that if you are growing without limiting the houses in residential. There are wells in close proximity to septic and we run into health concerns and nitrates in water supplies (blue baby syndrome). Because we have so many wells and the water protection district is town wide. What is commonly used is gals / day / sq. ft. 110 gals (= gal per bedroom) / 10,000 sq. ft. of lot area. (30000 sq. ft. lot limited to 3 bedrooms.) I did discuss this with the Board of Health and they are in favor of advancing this to the town meeting. This is a zoning control. The Board of Health can do other things to limit. This change will limit people's ability to build. The size of the lot would impact design of the system. Mr. Maki: Have other towns have adopted this? Ms. McCollem: Yes. This doesn't change anything with Title 5. This is a zoning control. Let's say you have 40000 sq. ft. lot, right now you could build a 6 bed house and meet Title 5. With the addition of these zoning controls, you would not be able to build more than a 4 bed,

solely because of water protection, due to the presence of on site wells. You can take time to think about this; we can bring it back on our next agenda. Mr. Sinclair asked Ms. McCollem to provide bylaws from other towns and maps that the Board could look at. Ms. McCollem will provide that to the Board. Mr. Maki: Our new lots are now 60000 sq. ft. Would this only apply to old lots? No, this would apply to all, 60000 = 6 bed limit. Mr. Robinson: Marlene is this based on surface? Ms. McCollem: Based on lot area 20000 = 2-bedroom limit. Mr. Maki: Would this affect existing? Ms. McCollem: Yes, it would also have restriction to additions on existing properties. Mr. Sinclair: Isn't this already controlled by title 5? Ms. McCollem: No, this is purely a density control. Mr. Maki: This restricts property owner even more than title 5. Ms. McCollem: Yes. If you are on a public water supply it is not an issue. This all came up due to a proposed subdivision that would have been tied into town water, but the surrounding lots are served by private wells. The concern was that the high density of houses could have caused nitrate pollution to surrounding lots. There are systems developed that can reduce the risks. The BOH would have to deal with that end of it. This zoning issue is much more broad.

- *Zoning Map change fro Carver/Plympton properties off of Montello Street (from GBP to RA)*

Ms. McCollem would like the board to Bring a zoning map change to town meeting. The Plympton side has residential lots, once you cross to Carver, those portions are zoned green business park. (refer to urban renewal map). From discussion with Urban Renewal plan, those lots in carver will never be used for industrial service and therefore no reason to list as Green business park. Should be rezoned to residential / agricultural. Mr. Maki: Will that reduce taxes for these properties? Ms. McCollem: The structures are on the Plympton side, but there would probably be a slight decrease on carver side. Mr. Maki: I agree that this should go to town meeting. Mr. Robinson: Do we need to talk with Plympton? Ms. McCollem: No we don't

- *Add "Medical Office" to list of uses*

Ms. McCollem: The Building Comm and I have noticed a discrepancy with Use Schedule" You don't have "medical office" listed. You have "office" and "hospitals". We had a medical office come in not too long ago. Your Parking Schedule does have Medical office. Do you want to allow "medical office" in all zoning districts? "Medical office" tends to have more traffic. If you decide to limit than we will need to add a line to the Use Schedule to define where it is allowed. Mr. Maki – Marlene what do you recommend? Ms. McCollem: Your business districts are so limited due to lack of space. I think you will be fine letting them go in all the districts and then treating them as offices. I just wanted to double check to make sure you are okay with allowing medical office in all the districts that offices are in. Mr. Sinclair: What about the Village district? Ms. McCollem: if someone came they would have to

apply for a special permit. Mr. Sinclair expresses concern for the RA district. If there are some areas that could handle traffic and impact. Ms. McCollem: We would have to rezone that property as a different district. Mr. Sinclair: Wouldn't that be Spot zoning? Ms. McCollem: No. Currently, we don't have Medical office listed so the Building Comm has to make a decision as to what it is most similar to. He can continue to do that but Medical office is not identified as a land use. We could change "office" to "office, including medical office". Mr. Maki: Would this include Dentist, x-ray, etc.? Ms. McCollem: yes, anything that requires a medical license. The Board will review at next meeting.

- *Add Hobby Kennel exemption to definition for owner's - dogs kept as pets:*

Ms. McCollem: Right now, 6-10 dogs = hobby kennel, so long as there are fewer than 4 litters raised in a year. So currently, any homeowner with 6 dogs is coming to the Planning Board, paying a $500 fee, going through hearing process, placing an ad in paper, sending certified letter to neighbors. My recommendation is to exempt dogs that are kept as pets. Mr. Maki: So the homeowner can own as many dogs as they want? Ms. McCollem: No, 10 is the maximum. Mr. Maki: Is a hobby kennel a business? Ms. McCollem: I don't think the intent is a business. Mr. Sinclair: I would like to see the language. Ms. McCollem will write it up so the Board can decide. Mr. Maki: Are there a lot of people in town with this issue? Ms. McCollem: Two so far.

- *Master Plan – If you approve, this will need to go to the town meeting.*

Other discussion:

Commercial business with marquis, with individual signs

Mr. Sinclair – For example, The Landmark Building signs that were to be removed, are still up. We were going to discuss the by law. What are we going to do about Landmark? Ms. McCollem: The Building Comm has stopped by several times but they have not been there. We will have them take it in when we make contact.

Other Business

A. **Planning Board Member Notes** - Mr. Robinson – I hope everyone had a great thanksgiving.
B. **Minutes – October 11, 2016 and October 15, 2016**

Motion to approve minutes from October 11, 2106, as recorded: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous, 3-0 (Mr. Hoffman abstained as he was not in attendance)

Motion to approve minutes from October 15, 2016, as recorded: Mr. Hoffman

Second: Mr. Robinson

Approved: Unanimous, 3-0 (Mr. Sinclair abstained as he was not in attendance)

C. **Correspondence:** None

D. **Next Meeting date:**

The next Planning board meeting has been scheduled for December 13, 2016.

Agenda:

Further discussion on the town meeting articles.

E. **Adjournment:**

A motion was made to adjourn the meeting at 8:13 PM: Mr. Hoffman

Second: Mr. Sinclair

Approved: Unanimous

TOWN OF CARVER

Office of Planning & Community Development

PUBLIC MEETING NOTICE

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

PLANNING BOARD MEETING AGENDA
November 29, 2016
7:00 PM
Carver Town Hall Room #1

Discussion:

William Brothers, Inc.—Preliminary Subdivision Plan—for a proposed 10-lot conservation subdivision off of High Street (Map 30-10-6, 7, S) with a proposed layout for "Ewell Street" under Chapter 41, Section 81-L.

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Add "medical office" to list of uses
Add hobby kennel exemption to definition for owner's dogs kept as pets

Other Business

A. Planning Board Member Notes
B. Minutes –October 11 & 15, 2016
C. Correspondence
D. Next meeting date: December 13, 2016
E. Adjournment