

TOWN OF CARVER

Zoning Board of Appeals

approved
9/11/18

108 Main Street
Carver, MA 02330

Phone: (508) 866-3450
Fax: (508) 866-3430
E-mail: Carver.Planning@carverma.org

Meeting Minutes for July 31, 2018

Chairman Stephen Gray called the meeting to order at 7:00 PM. In attendance were Vice-Chairman Sharon Clarke, Members Eric Mueller, James Nauen, and Alternate Frances Mello. All are voting members for Case 73-7. Chairman Gray announces that the meeting is being recorded by Area 58 Cable Studio.

Chairman Gray introduces the attending members.

Minutes – July 11, 2018

Minor grammatical changes were identified and changes were made.

Motion to approve the Minutes of July 11, 2018 with changes was made by James Nauen.

Second by Frances Mello

Approved: Unanimous 5-0

Continuance of Case 73-7-Kyle Bassett, 52A West Street. Chairman Gray reads the original Public Notice into the record once more, stating for the record the case was opened on July 11, 2018.

A site visit on the property occurred on July 14, 2018, as scheduled. All members of the Board were in attendance, with the exception of Vice-Chairman Clarke, who stated for the record that she can still render an informed opinion.

Chairman Gray reads a letter from Police Chief Duphily into the record, which is attached hereto and made part of the record.

Chairman Gray reads a letter from Asst Fire Chief Jesse Boyle into the record, which is attached hereto and made part of the record.

Chairman Gray reads a letter from Board of Health Agent Kevin Forgue into the record, which is attached hereto and made part of the record.

Kyle Bassett reads a letter of support from abutter Gail Batchelder into the record, which is attached hereto and made part of the record.

The calculation of the available space for the dojo was 1042.1 square feet. The dojo will take 939 square feet of the garage, well within the parameters required by the by-law.

A discussion of potential conditions for the Special Permit followed.

A motion to close the hearing was made by James Nauen, The motion was seconded by Eric Mueller. A vote was taken and unanimously approved to close the hearing.

A motion was made and duly seconded and voted unanimously to grant the petition for a Special Permit for a Home Occupation.

The Special Permit is granted under Article V, Section 5330, as the benefits of the proposed use outweigh its detrimental impacts on the Town and neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site.

A Special Permit is granted under Article II, Section 2240 and 2242 with the following conditions attached:

1. The restrooms will be ADA-compliant.
2. Prior to the issuance of a Building Permit for the restrooms, a letter from a representative of the Carver Fire Dept indicating that the proposed parking plan meets CFD standards and approval must be submitted to the Building Dept and a copy submitted to the Town Clerk to be made part of this case
3. Prior to the issuance of a Building Permit for the restrooms, a Certificate of Compliance from a representative of the Carver Board of Health pertaining to the septic system upgrade must be submitted to the Building Dept and a copy submitted to the Town Clerk to be made part of this case
4. The maximum number of participating students in a single class shall not exceed 15. This does not include observers/instructor.
5. The hours of operations shall not exceed the following:
3 PM-8 PM Monday through Friday
9 AM -1 PM Saturday
6. A conforming sign will be attached to the mailbox at the end of the driveway announcing the presence of the studio. It will be unlit, but reflective.

Vice-Chairman Clarke advised the petitioner of the appeal process and the procedure for recording the decision.

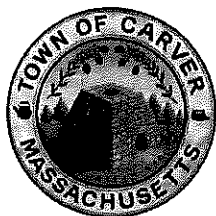
Chairman Gray announced that under M.G.L.c30A S 21, the Board was adjourning to meet in Executive Session to discuss strategy with respect to pending litigation in the case of the Town of Carver Planning Board v Town of Carver Zoning Board of Appeals, Plymouth Superior Court

Docket 1683CV00720, as an open meeting may have a detrimental effect of the litigation position of the public body;votes may be taken.

The meeting was duly closed.

Attachments

1. Town of Carver Fire Department letter dated 7/17/18
2. Town of Carver Police Department letter dated 7/16/18
3. Town of Carver Health Agent letter dated 7/25/18
4. Email from Gail Batchelder to Rkbassett
5. Graph paper submission of floor plan of garage



Craig F. Weston
Chief

TOWN OF CARVER FIRE DEPARTMENT

99 Main Street

Carver, Massachusetts 02330 - 0040

(508) 866 - 3440 • Fax (508) 866 - 4408

www.carverfire.org

Eric P. Germaine
Deputy Chief
OPERATIONS,
TRAINING
& COMMUNICATIONS

Jesse D. Boyle
Assistant Deputy Chief
ADMINISTRATION,
CODE ENFORCEMENT
& FIRE PREVENTION

To: Kyle Bassett; Carver ZBA

From: Assistant Deputy Chief Jesse Boyle

Date: July 17, 2018

Subject: 52A West Street Emergency Vehicle Access

Mr. Bassett,

In response to your request to review emergency vehicle access to the property located at 52A West Street: I am familiar with the property, and I have visited it specifically for this request.

- The roadway presents generally good access for emergency vehicles.
- The parking area has the potential to obstruct access during an emergency.
- Carver Fire Department recommends a definitive parking plan be created, to ensure proper accessibility to the buildings on site during an emergency.

If I may be of any further assistance, please feel free to contact me.

Thank you,

Jesse Boyle

Assistant Deputy Fire Chief



Marc R. Duphily
Chief of Police

CARVER POLICE DEPARTMENT

112 B Main Street
P.O. Box 985
Carver, MA 02330
Telephone: 508-866-2000
Fax: 508-866-4538



Cranberry Land U.S.A.

July 16, 2018

Town of Carver
Zoning Board
108 Main Street
Carver, MA 02330

RE: Robert Kyle Bassett
52A West Street, Carver, MA

To Whom It May Concern,

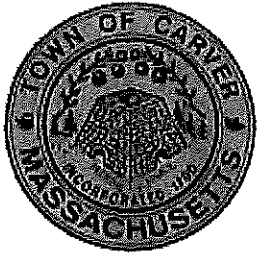
Carver Police Department will always respond to assist and protect the community to the fullest extent possible including but not limited to 52A West Street, Carver, MA.

This letter is intended to produce response to the Zoning Board request for public safety to the above mentioned property address.

If I can be of further assistance, feel free to contact me.

Sincerely,

Marc R. Duphily
Chief of Police



TOWN OF CARVER

Permitting Departments

108 Main Street, Carver, MA 02330
508-866-3405

July 25, 2018

Robert Bassett
52A West Street
Carver, Ma. 02330

Re: Sewage Disposal System
ZBA Case # 73-7
52 West Street

Dear Mr. Bassett:

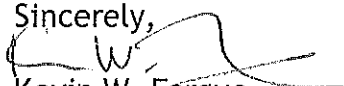
I have reviewed the file for your property related to the sewage disposal system.

Specifically I looked at the design capacity for the newly installed system. The capacity is equal to 444 gallons per day to service a four bedroom home, which means the system as currently constructed will not accommodate the additional flow from the proposed use. The additional water needed for what is proposed will have a negligible effect on the existing well.

You are proposing to use the existing barn for the purpose of a martial arts studio and expect the classes to consist of 5 to 10 students and 3 classes per session. I do not believe that this use will generate much sewage to be directed to the existing system, however, any additional flow to the system will require that the system be expanded to increase the capacity.

Therefore, I require that 5 additional chambers be added to the end of the field. This will result in a field with 720 square feet and have an additional capacity of 88 gallons per day which should be more than adequate to handle the additional flow from the proposed martial arts studio.

The system expansion will satisfy any concern that I have relative to this case.

Sincerely,

Kevin W. Forgue
Health Agent

Gail Batchelder <scoopj@gmail.com>

7/29/2018 5:27 AM

blocking the lights

To rkbassett@comcast.net

Hi Kyle - I've been meaning to send this...Sandi and I talked and see no need for you to put up anything that will block the lights...we both feel any addition along these lines wouldn't be beneficial and detract from the naturalness of the area.

Good luck Tuesday night...let me know how you make out!

~Gail, from the Yellow Brick Road

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Change is inevitable except from a vending machine.

Boiler room

Proposed Bath addition

Proposed area square footage = 939 Sq. Ft.

interior
partitions
to be built

