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**CARVER ZONING BOARD OF APPEALS**  
**MINUTES OF OCTOBER 27, 2016 MEETING**  
**Room 1 – 7:00 p.m.**

Present: Stephen G. Gray, Chairman; Sharon Clarke, Vice-Chairperson; Members Steven Maynard and Eric Mueller, as well as Alternate Frances Mello. Member James Nauen did not sit with the Board during this Meeting.

Also present: Marlene McCollem, Planning Director; Marianne MacLeod, Recording Secretary.

Chairman, Mr. Gray, opened the meeting at 7:00 P.M.

**CONTINUANCE OF A PUBLIC HEARING:**

A. Comprehensive Permit: Petitioner: Draper Home Improvements, LLC; off of Plymouth Street, Carver, MA 02330 (Assessor's Map 18-Lot 8). The Petitioner is requesting a comprehensive permit, pursuant to 760 CMR 56.00, in order to develop a 39-lot subdivision on 17.81-acres in a Residential Agricultural District, shown on Map 18-Lot 8.

Mr. Gray brought everyone up to date, reviewing the events of the previous meeting of July 21, 2016.

Subsequently, Mr. Gray advised that correspondence was received on August 22, 2016 from Attorney Kraus on behalf of the Petitioner, requesting that the Peer Reviewers for the Board not undertake their review of the Plan at that time due to substantial changes that were being made to the Plan.

On behalf of the Board, Mr. Gray sent a letter to Attorney Kraus on August 23, 2016 stating that the Peer Reviewers for the Board would not be asked to review the previously filed Plans, that the site walk scheduled for August 27, 2016 would be postponed, and that revised Plans would need to be filed with the Town no later than September 30, 2016.

On October 14<sup>th</sup>, two weeks after the deadline Mr. Gray had established in his letter of August 23, 2016, Mr. Kraus sent a letter requesting an additional 30 day extension of the Hearing scheduled for October 27, 2016 due to storm water and drainage calculations that the Petitioner still needed to complete. No revised Plans had yet been received by the Town.

On behalf of the Board, Mr. Gray responded with a letter to Mr. Kraus, dated October 17, 2016, which he read into the record. This letter denied at that time the request for a postponement of the Hearing scheduled for October 27, 2016, but also stated that the Petitioner could come before the entire Board at the October 27, 2016 meeting and renew his request for a continuance if he wished.

Next, Mr. Gray read an email into the record that had been sent by Mr. Kraus the afternoon of October 27, 2016, requesting a withdrawal of the petition without prejudice. Mr. Gray explained that, if granted, this would mean that the Public Hearing as to this matter would be closed and that no further proceedings would be necessary as the case would be over, subject to the right of the Petitioner to begin anew by re-filing. No revised Plans were ever filed with the Town by the Petitioner.

Mr. Kraus spoke briefly to the Board. Members of the public were given an opportunity to ask questions.

Motion was made by Mr. Maynard to close the Hearing, seconded by Mr. Mueller, voted unanimously.

Motion was made by Ms. Clark to grant the request of the Petitioner to withdraw the Petition without prejudice, seconded by Mr. Maynard, voted unanimously.

#### **MINUTES:**

B. The minutes of September 20, 2016 were reviewed. Motion was made by Mr. Mueller to accept the minutes as written, seconded by Mr. Maynard, no discussion, voted unanimously.

#### **CORRESPONDENCE:**

C. Renewal of Commercial Kennel License at 153 Main Street. Mr. Gray read an email, dated October 7, 2016, from Ms. Bonnie Fistel, owner of a commercial dog kennel, 153 Main Street, Carver, requesting a three (3) year renewal of her kennel license.

Motion was made by Ms. Mello to grant the renewal of the Commercial Kennel License at 153 Main Street, Carver, for three (3) years, seconded by Ms. Clarke, voted unanimously.

#### **ADJOURNMENT:**

D. Motion to adjourn at 7:23 P.M. by Mr. Mueller, seconded by Ms. Mello, voted unanimously.