



Meeting Minutes for March 28, 2023, at 6:30 PM,

This meeting was held in person, in meeting room #4 at the Carver Town Hall

This meeting is being videotaped and rebroadcast by Area 58 TV.

Attendees: Sharon Clarke, Chairman; Savery Moore, Vice Chairman; Patrick Meagher, Treasurer; Johanna Leighton, Member; Roger Noblett, Member

Also in attendance:

Absent:

Meeting opened by Ms. Clarke at 6:30 PM

****These minutes are being written from the Area 58 recording. Unfortunately, the recording did not include the first 10 minutes, which is reflected in these minutes.****

Discussion and possible vote(s):

- Rte. 44 Project update / Eminent Domain Claim

Ms. Leighton – They did say that they would come back to us in first quarter of 2023 – at that time they will reevaluate how to go back into the marketplace. That brings us to now; I think we should have them in to discuss. Ms. Clarke – I will reach out to Bob Delhomme. Mr. Moore – I think it depends on how much George gets into planning on time to preserve the by-Laws the way they stand right now. From what I understand, the only zoning by-Law that is currently being added to the Town Meeting to rescind is the 65' height. The rest have been left alone as they didn't affect anything. Ms. Leighton – So the expectation is to see that in the article to rescind? Ms. Clarke – It's not written as a rescission but more to change it back. Mr. Moore – If Rte. 44 gets the required documentation into the Planning Department, prior to Town Meeting, the legal documentation that is needed to create a preliminary subdivision; even if the warrant is shown and presented at Town Meeting, KPLaw will get up before the Town Meeting and state that a preliminary subdivision has been filed for this property and we cannot change the zoning by-Laws for 8 years. Therefore, there would be no reason to vote on this. It's in their court. Ms. Leighton – What is the height requested in Middleboro? Mr. Moore – That project, I believe has been pulled. Due to current economics, supply chain issues and tentative investment situation/shaky economy. I believe it has been pulled.

Ms. Clarke – We were contacted from one of the people on the eminent domain list. She was basically speaking for all of them as they are all related. She was just asking about the process. I have some questions into Kathleen.

Ms. Leighton – When Pat was on vacation, I asked about holding onto the eminent domain check and holding onto it for a specified number of years? Ms. Clarke – Yes, three years. Ms. Leighton – Pat moved the money from the Money Market account and moved it to savings. Mr. Meagher – No, I only deposited it one time. Ms. Leighton – So it's not the \$4000 check? Where is the check that George gave us? November 15, 2022 there was a deposit of \$4000 in the URP. Mr. Meagher – Just coincidence. I was moving money around to pay expenses. Ms. Leighton – Kathleen informed us that when we received that check that we deposit it in our Interest Earned Money

Market Account. That was what I was looking to clarify. Ms. Clarke – Pat, can you look into that? The amount that should be held is \$3,750 (cost of the land). Mr. Meagher – I will just move the \$4000. Ms. Clarke – That is what we will use to pay for any claim(s).

- 90 Forest Street

Ms. Clarke – We gave the proceeds from the sale (\$105,893.09) to the Selectboard. This should close the books on 90 Forest Street. Ms. Leighton – I drove by the building today. They used an Amish group to assemble (wood) building. They worked 15 hours+ per day. He thanked the committee for working closely with him.

- Wade Street survey and update

Ms. Clarke – I have not yet received the mylar from Art Borden. There was an encroachment. Savery and I met with the owners and their plan is to move the barn onto their property. We gave them a month to figure out how to do that; it will probably take a couple of months to accomplish.

Ms. Leighton - Should we wait until it is done before going back to the Conservation Commission? Mr. Moore – I don't think so; we have it in writing what they are going to do. Ms. Clarke – It is in a text. Mr. Moore – We should probably get it in writing. There is an agreement in place so I think we can move ahead to offer Conservation the property. Ms. Clarke – Would Conservation want to set a timeline? Mr. Moore – It would be in the written agreement that they will have the property back to its original state by a specified date.

As long as that is in writing, Con Comm can accept the property. Ms. Leighton – In real estate, we use a P&S, with a timeline. Ms. Clarke – I will ask Kathleen to create something. Mr. Moore – What we spoke to them about was establishing an end date by which time it was done. The property will be given to Conservation by that time. If the work that they told us they were going to do had not been done by the agreed upon date, Conservation would hire a contractor to dismantle and remove the barn and send them the bill for doing such. Ms. Leighton – We need to make sure it's all in writing. Mr. Moore – Yes, it was very cordial. Ms. Clarke – This will be a big task to accomplish. Mr. Moore – 20X16 barn, the far end had a 30' encroachment. Mr. Noblett – Were they any taxes owed to the Town or are we forgiving them? Mr. Moore – They used it but it wasn't theirs; technically they don't owe taxes. Ms. Clarke – They said they received a permit for the building. Once it's moved, it becomes an assessor's deal. Mr. Moore – I would get on the 4/19 meeting with the Conservation Commission.

Treasurer's Report:

Account Balances, February 2023

- ⇒ Checking \$ 1,790.85 (\$1,286.66 outstanding check)
- ⇒ Money Market - \$55,543.43
- ⇒ Hillwood \$7,411.39 (this must go back to them) Ms. Clarke – We can return the balance and close the account)
- ⇒ URP \$5,280.35 (\$4K will be moved (for eminent domain) to our Money Market account)

Topics not anticipated by the Chair 48 hours in advance of the meeting

Nothing tonight

Members Notes:

- Sharon Clarke –
- Savery Moore –
- Pat Meagher -
- Roger Noblett –
- Johanna Leighton – I looked at the February Selectboard meeting. I sent an email to Tom Bott, Sarah Hewins and copied Sharon and myself. I was looking for information on bylaw changes with the Planning Board. This is regarding 40R and TDRs and the MBTA Communities. Sarah Hewins sent me what she had from Tom Bott. My concern is that Green Business park has been noted as a

Receiving TDR. This opens the door for him to break that land up into smaller pieces. They could make a plan for 40R. I would like to go back to Tom Bott. Ms. Clarke – We will take your questions to Tom Bott to see if we can get some answers.

Mr. Moore – Green Business Park is zoned as Commercial so it can't be residential. Only commercial can go there. That land and what's under it is not safe for people to live there. Ms. Leighton – Where is that written? Mr. Moore – Back when they did some monitoring for ground water safety, they had to meet the level that it was deemed safe enough for building on. It did not meet the level safe enough to inhabit. Ms. Leighton – What about when they get Town water? Mr. Moore – That isn't happening now; Hillwood backed out.

Ms. Clarke – I will reach out to Tom and ask him –

1. What impact does being an overlay district have on the Green Business Park?
2. What the 40R process will be.

Mr. Moore – There are 4 different categories of communities that are impacted by this (Multi Family zoning requirements for MBTA Communities.)

1. Rapid Transit
2. Commuter Rail
3. Adjacent Community
4. Adjacent small-town

Mr. Moore - We fall into the Adjacent small-town community. I believe I read somewhere that Adjacent small towns may not have to follow these requirements and will give them some relief to these requirements. Ms. Clarke – There has been push back, led by some really small towns like Plympton. Ms. Leighton – In February, the Selectboard voted unanimously to move forward with creating the 40R. Ms. Clarke – What that did was to keep us off the naughty list; this is just a response and the first step. We will get the answers to your questions for the Green Business Park.

Minutes – 11/29/2022 and 1/17/2023:

*Motion to accept the minutes for 11/29/2022, as written: Mr. Moore
Second: Mr. Meagher*

Discussion:

Approved: Unanimous (5-0)

*Motion to accept the minutes for 1/17/2023, as written: Ms. Leighton
Second: Mr. Noblett*

Discussion:

Approved: 4-0-1 (Mr. Meagher)

Next Meeting:

Next Meeting will be held on April 18, 2023 at 6:30 PM.

Adjournment:

*Motion to adjourn at 7:28 PM: Ms. Leighton
Second: Mr. Noblett*

Approved: Unanimous (5-0)