



Meeting Minutes for August 23, 2022, at 6:30 PM,

This meeting was held in person, in meeting room #3 at the Carver Town Hall

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

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

Also in attendance: Paul Kelly; Tom Bott, Planning Director (departed at 6:55)

Absent: Patrick Meagher, Treasurer

Meeting opened by Ms. Clarke at 6:38 PM

Discussion and possible vote(s):

- Rte. 44 Project update
 - URP and DHCD Amendments:

Ms. Clarke – Last Thursday, the RDA met with Tom Bott and the attorney representing Hillwood, Mr. Smolak. We reviewed the guidelines to give to DHCD. We wanted to discuss our feelings as to whether they were major or minor amendments. Tonight, I have the letter to go to Maggie Schmidt at the DHCD. In a previous conversation with Savery and other members, Maggie indicated she would be willing to review any draft we want to send her; she will send us feedback. This is not the final letter.

Ms. Leighton – Has Kathleen O'Donnell received this? Ms. Clarke – Yes, she has it. I did let her know that it was only a draft. Ms. Leighton - I was impressed with what Mr. Smolak presented.

Below are the recommended changes to the last paragraph, by Mr. Moore.

To this end, we hope you would have the time to review the draft materials attached, and although these proposed changes have not yet been finalized by the RDA, we feel that the attached draft does identify changes which the RDA sees as "minor," and which are consistent with the goals and intent of the URP. While we understand that this informal review does not establish any formal action by the Department, we nevertheless would request that you advise us if you feel that any of the proposed amendments would constitute a "major change," which would result in the need for new local public hearings. The RDA desires to complete the change process before Hillwood proceeds through the local review and permitting process before other Town boards or officials this Fall. Once again, we thank you and others from the Department for taking the time to discuss the urban renewal process with us, and we look forward to continuing our conversation with you. Lastly, should you feel that a follow-up call/discussion of this draft would be more efficient and would allow for some further clarifications to questions which you may have, we would be happy to participate in a Zoom call or other effort to further discuss the draft and next steps. Thank you.

Motion to accept the letter to the DHCD, as amended : Mr. Moore

*Second: Ms. Leighton
Approved: Unanimous (4-0)*

*Motion to send the amended letter to Maggie Schmidt: Mr. Noblett
Second: Ms. Leighton
Approved: Unanimous (4-0)*

90 Forest Street:

Ms. Leighton – I spoke with Dan today. He is anxious to submit to the Permitting Department but needs to know what he has to do. He realizes that he needs to own the property. Ms. Clarke – He hasn't submitted a building permit yet? Mr. Bott – We went through Site Plan Review with a Special Permit. With the appeal period over, he can move forward. Ms. Leighton – He spoke to Michelle, today, about all of that. He sent me a text that states Michelle agreed that the permit wouldn't be issued until the land is in his name and he said he would at least like to get everything submitted and hear back of any concerns that may arise before closing. He then asked about a 9/20/22 closing date? Ms. Clarke – It's before 9/28, that should be fine. I recorded the Zoning Board decision last Friday. The cost was \$108; Pat gave me the check. Johanna and Pat should get together to look at past expenses? Ms. Leighton – Yes. I can go in and look at the checkbook. I have a lot of information already. I will make an appointment next week or so. Ms. Clarke – Kathleen will be doing the closing and will need an accounting of all of that. She will also need to draw up the deed. I will reach out to Kathleen in the morning to check her availability for the 9/20/22 closing date and what she needs from us.

Wade Street:

Mr. Bott – We have requested a survey. We asked 3 surveyors; one agreed to do it.

Ms. Leighton – I went into the Permitting Department regarding the encroachment. Ms. Leighton presented a map of the property. Ms. Clarke – These are Google Maps and do not have boundaries on it. A GIS map would be more official. Ms. Leighton – I asked the girls about the folder for 26 Wade Street. Permits were taken out on that small 8X12 shed building in 2017.

Mr. Moore – Does Patriot Pines want this property? Ms. Clarke – No, they do not. Ms. Leighton – We own it but it should be given back to the Conservation Commission. Mr. Abatiello agrees. He surveyed the residents a decade ago and they all wanted the property to remain as is or go to Conservation Commission. Mr. Moore was not in attendance at the last meeting, Ms. Leighton updated him on the discussion from that meeting. Ms. Clarke – In August of 2012, the RDA voted to give it back to the Selectboard. One month later they voted to accept it. I feel our trail ends there. There should have been a deed created.

Mr. Abatiello, 15 Wade Street – Back then, I believe that this Board got a little gun shy with it. There was a lot of noise over this property. Ms. Leighton – Back in those early days, Dick Ward wanted to hold onto that property. Mr. Moore – Who is the current legal owner? Ms. Clarke – We are; there is a deed on record at the registry.

Mr. Noblett – Is there a time limit for them to process and take the property? Did the Selectboard agree to maintain the property as is? Ms. Clarke – The Selectboard has tried over the years to get rid of it. No one on that Board really remembers anything. Once the Selectboard accepted it, they had a meeting a month later with the residents, who had concerns. They ceased doing anything on the property after that. Mr. Noblett – So if this never went to the Town Meeting, we still own it. Mr. Moore – That is what our by-laws say now, but we don't know what it said then. Mr. Abatiello – Conservation refused it due to core boring, etc.

Mr. Moore – What Board has the authority to give property away? Ms. Leighton – I think it's the Selectboard. Mr. Moore – I believe they are the only entity in Town who can transfer Town owned property. I don't think that we can give the property to anyone. Ms. Leighton – You must ask the Selectboard to create an article. Mr. Moore – The current deed says that the RDA owns it. The RDA is not a Town Board. Does that mean that the property is not Town owned? I think that we should get the Selectboard to follow through on what they were supposed to do 10 years prior. Ms. Leighton – I will call Tom Bott tomorrow. Ms. Clarke – Maybe Mr. Fennessy, this involves the Select Board. We are a Quassia Judicial Town Committee. Mr. Moore – I don't think that gives us ownership of property. We should go to the Selectboard informally and remind them of what was supposed to happen 10 years ago and ask them to follow through on the acceptance of this property. Ms. Leighton – Since 2006, when we established as an RDA, we sold property after property and have given back to the Town, at least, \$585K. This is nothing different. Mr. Moore – If it's established that we still own it, maybe we can donate it to the Conservation Commission. Ms. Clarke – A Board voted to give it back to the Selectboard and they voted to accept it. They could rescind the vote. The Select Board has moved forward over the years as though they owned it. I

don't think we can override a vote without them rescinding the original vote. Mr. Moore – They either have to follow through or vote to rescind. Mr. Noblett – This issue has been shuffled around for a decade. There needs to be a reason to do this. If a current resident sends a letter to bring the issue to the surface it will empower us, as it makes it a current issue.

Ms. Clarke – There is interest in the neighborhood, 55+ housing and Affordable Housing. When we have the property surveyed, which will be expensive; I don't think the RDA should have to pay for that. Ms. Leighton – I agree, I want to ask the Selectboard to meet with us. There is an MOU. Ms. Clarke – It is attached to the deed; I will send it to you. Ms. Leighton – It's time to negotiate that back. I will not let this go; it belongs to the residential neighborhood. Ms. Clarke – I suggest a meeting with Elaine and Mr. Fennessy, rather than getting on the agenda. I would like to know from all of you, what is our end game?

- Ms. Clarke – We voted, they accepted. Do we give them the option of rescinding the vote and then we create an article?
- Mr. Noblett – We need to determine if we can give it ourselves?
- Mr. Moore – If we can sell property; we can donate property. I am in favor of having the Selectboard rescind their vote. The Conservation Commission has a Property Acquisition Fund that can be used to acquire property and ancillary items that goes along with the purchase of the property. By accepting a donation of that property, part of the Order of Condition could be tied to the cost of survey/related costs and they could repay the RDA for that cost.
- Ms. Leighton – I would like to meet with Mr. Fennessy. Ms. Clarke – You would need to include either Savery or myself. Ms. Leighton – After Labor day, I will make an appointment with Mr. Fennessy, myself and Savery.

Ms. Clarke – If we suggest they rescind, we can discuss with Kathleen about talking to Con Comm about donating the property. Mr. Moore – Yes. Ms. Leighton – Will we have to go to Town Meeting? Ms. Clarke – I don't think we do. Mr. Moore – I don't know, we may have to. Ms. Clarke – I will ask Kathleen.

Mr. Abatiello – How does it work, in the Town of Carver, as a benefit for the Town, as far as the carbon footprint? We should talk about that. Ms. Clarke – There must be conservation groups that keep track. Mr. Abatiello – That should be noted. Mr. Moore – If you conserve that property, there won't be any solar on it. This wouldn't reach the level of an acquisition (it would need a clear conservation value to it) but it would be okay for a donation. Ms. Leighton – I am going to talk to Sarah Hewins regarding writing an article. Mr. Moore – We may not need that. If the Selectboard rescinds, we can donate the next day.

Ms. Clarke – I would like for Savery and Johanna to have their meeting with Mr. Fennessy and Elaine. Mr. Moore – I will be away until after Labor Day. Ms. Leighton will arrange a meeting.

Ms. Clarke – Encroachments – The fence blocks the driveway which is definitely an encroachment. We need the survey to determine if the outbuildings are an encroachment. Whoever ends up with the property will have to deal with the results.

Treasurers Report:

Pat is not here tonight. We will review at the next meeting.

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 –

Minutes:

Meeting on 6/21/22 -

Motion to approve the 6/21/22 Minutes, as written: Ms. Leighton

Second: Mr. Noblett

Discussion:

Approved: Unanimous (4-0)

Meeting on 7/5/22 -

Motion to approve the 7/5/22 Minutes, as amended: Ms. Leighton

Second: Mr. Noblett

Discussion: Correct the spelling for Attorney Smol~~A~~k; The date in the conversation for 90 Forest Street should be 6/14/2022.

Approved: Unanimous (4-0)

Meeting on 8/2/22 -

Motion to approve the 8/2/22 Minutes, as amended: Mr. Noblett

Second: Ms. Leighton

Discussion: In the “added” section within #10 on the Timeline – Using “KPLaw” – clarification - this is something that would be paid by Town, not the RDA.

Approved: Unanimous (3-0-1, Mr. Moore)

Next Meeting:

Next Meeting will be held on September 20, 2022 at 6:30 PM

Adjournment:

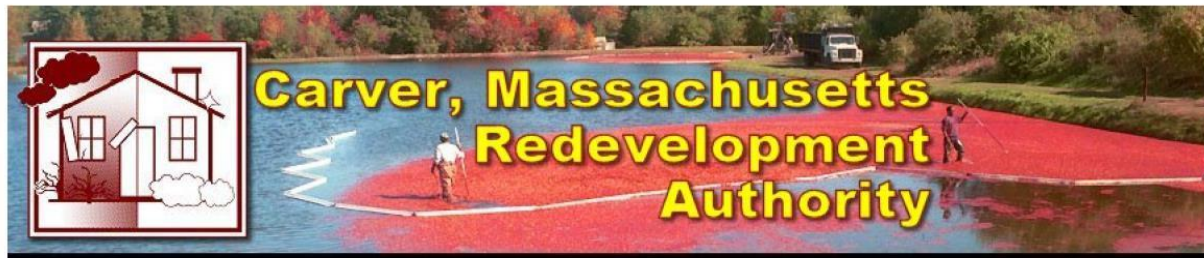
Motion to adjourn at 8:22 PM: Mr. Moore

Second: Ms. Leighton

Approved: Unanimous (4-0)

Attachment: Draft Letter to DHCD

Attachment for 8/23/22 Meeting Minutes



108 Main St, Carver, MA 02330

August 19, 2022

VIA EMAIL (maggie.schmitt@mass.gov)

Maggie Schmitt AICP, LEED AP BD+C

Urban Renewal & Relocation Coordinator Department of Housing & Community Development 100
Cambridge Street, Suite 300

Boston, MA 02114

RE: Carver Redevelopment Authority – Draft Changes to North Carver Urban Renewal Plan

Dear Maggie:

On behalf of the Carver Redevelopment Authority (RDA), and as the RDA's Chair, we are respectfully requesting the Department to review a draft of proposed changes to the URP. As you may recall, both Becca George, Regional Planner, Land Use and Growth, from the Department and you had participated in an informal discussion with representatives of the Town, the RDA, and Hillwood, the prospective developer of a portion of the URP District. I understand that others on the call included: Savery Moore, RDA; Tom Bott, Carver Town Planner; and on behalf of Hillwood, John Smolak, Smolak & Vaughan LLP, and Jim Cranston, Bohler Engineering, Inc. I also understand that the discussion included a summary of actions taken since the URP was adopted, potential changes to the URP, as well as steps required to undertake future changes to the URP, both with the RDA and the DHCD. We thank you for providing your guidance on these matters, for responding to the many questions raised during that discussion, and for following up with examples of other proposals for urban renewal plan changes from other redevelopment authorities.

I also understand that you had offered to review a proposed draft set of changes to the URP before a formal filing would be made. To this end, a meeting of the RDA was held on August 18, 2022 to discuss a proposed draft set of materials that the RDA intends to formally file in the near future. Based upon the discussions at that meeting, the RDA has decided to request the Department to informally review the following draft materials:

1. Draft First Amendment to Urban Renewal Plan describing the proposed changes.
2. As a part of the Draft First Amendment, a draft set of revisions which are redlined to show proposed changes to the existing guidelines, and which we

feels are changes which both clarify procedures and provide some flexibility to the RDA on applying the same, all as consistent with the URP; and,

3. Draft Resolution.

To this end, we hope you would have the time to review the draft materials attached, and although these proposed changes have not yet been finalized by the RDA, we feel that the attached draft does identify changes which the RDA sees as “minor,” and which are consistent with the goals and intent of the URP. While we understand that this informal review does not establish any formal action by the Department, we nevertheless would request that you advise us if you feel that any of the proposed amendments would constitute a “major change,” which would result in the need for new local public hearings. The RDA desires to complete the change process before Hillwood proceeds through the local review and permitting process before other Town boards or officials this Fall. Once again, we thank you and others from the Department for taking the time to discuss the urban renewal process with us, and we look forward to continuing our conversation with you. Lastly, should you feel that a follow-up call/discussion of this draft would be more efficient and would allow for some further clarifications to questions which you may have, we would be happy to participate in a Zoom call or other effort to further discuss the draft and next steps. Thank you.

Sincerely,

Sharon Clark
Chair

cc: Carver Redevelopment Authority
Distribution List
Enclosures