

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

Approved 6-13-23

Chairman Cornelius Shea, Richard Dionne, John Gaskey, Kevin Robinson, Ellen Sordillo, Donald Williams, and Thomas Bott, Town Planner.

Meeting was called to order at 7:02PM

Planning Board Post Election Reorganization:

Chairman Shea will accept nominations for the position of Chair of the Carver Planning Board for the next calendar year. Kevin Robinson makes a motion to recognize Cornelius Shea for the next calendar year and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Chairman Shea will accept nominations for the position of Vice Chair of Carver Planning Board for the next calendar year. Ellen Sordillo nominates Kevin Robinson for Vice Chair for the next calendar year. Chairman Shea takes a roll call vote for the appointment of Kevin Robinson and Richard Dionne vote's nay, John Gaskey vote's nay, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's nay. Vote is 2-3-0.

Chairman Shea nominates John Gaskey as Vice Chair of the Carver Planning Board for the next calendar year. Chairman Shea takes a roll call vote for the appointment of John Gaskey and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's nay and Chairman Shea vote's aye. Vote is 4-1-0.

Chairman Shea will accept nominations for the Secretary of the Carver Planning Board for the next calendar year. Ellen Sordillo nominates Kevin Robinson for Secretary for the next calendar year and it's seconded by Richard Dionne. A roll call vote is taken and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Confirmation vote Chapter 61A, Map 14, Lot 10 Zoning RA – Walker Road Fernandes: Mr. Bott gives background information on the matter. Chairman Shea will accept a motion to waive the Right of First Refusal for Chapter 61A, Map 14, Lot 10 Zoning RA – Walker Road, Lot 1. Motion is made by John Gaskey and it's seconded by Richard Dionne. A vote was previously taken therefore this is a confirmation vote. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

ANR:

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

1. The purpose of this plan shows a reconfiguration of lots, and lots shown without adequate frontage are designated as being "not a building lot without further zoning relief" (to the extent such lots are conveyed in reliance of the plan endorsement), (Assessor's Map 50 Lots 3, 8, 9, and 10-A), located at 40 Fuller Street. Zoning Residential-Agricultural (RA).

Attorney Greg Sampson of Walsh Bond Dickinson LLP represents the applicant and indicates the plan is to essentially remove the interior lot lines to make it consistent with the project lease line. There are two separate ownership entities, which are both named on the application, with five parcels of land and they want to consolidate the parcels. Chairman Shea asks about frontage on the property. The response is frontage will be provided by access rights easements and this frontage should not affect the project. The only thing this project does is eliminate the interior setbacks between ownership lines. There will be a transfer of ownership that will need to be done to make it affective. Chairman Shea asks if they have filed an Abbreviated Notice of Intent with the Conservation Commission and the response is they have an Order of Conditions for the project. Chairman Shea indicates there are no wetlands delineated on the survey map. Mr. Shea also confirms these are not buildable lots. John Gaskey asks if they have a modification application and Attorney Sampson states he will check on this.

Chairman Shea will accept a motion to reconfigure the lot lines of Assessor's Map 50 Lots 3, 8, 9, and 10-A), located at 40 Fuller Street as an ANR with the statement that Lot 1 and Lot 2, are not buildable lots without further zoning relief. John Gaskey makes said motion and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea abstains. Approved 4-0-1.

2. The plan shows a reconfiguration of lots, and lots shown without adequate frontage are designated as being "not a building lot without further zoning relief" (to the extent such lots are conveyed in reliance of the plan endorsement), (Assessor's Map 48 Lots 2, 6, and 7), located at 204 Plymouth Street. Zoning Residential-Agricultural (RA).

Attorney Greg Sampson of Walsh Bond Dickinson LLP represents the applicant and indicates the plan is to essentially remove the interior lot lines to make it consistent with the project lease line. There are two separate ownership entities, which are both named on the application. Chairman Shea indicates there are no wetlands delineated on the survey map and frontage will not meet the requirements, however Mr. Bott indicates this is not a subdivision and therefore falls under ANR requirements.

Chairman Shea will accept a motion to reconfigure the lot lines with a notation that Lot 1 and the remaining Lot 48-7 are to be considered not buildable lots, however the Board

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

has concerns with regard to the separation of this and prior approved permits because it appears it would be a subdivision of land. Kevin Robinson makes said motion and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

3. The purpose of this plan shows lot division along existing roadway and no new roads create. (Assessor's Map 55 Lot 1), located at Purchase Street. Zoning Residential-Agricultural (RA).

Chris Michaud, a surveyor, with Control Point Associates addresses the board regarding this matter. Chairman Shea asks if an NOI was filed the Conservation Commission and Mr. Michaud indicates he will follow-up with the engineer on that. Mr. Shea also points out they have to identify the wetlands and the upland and lowland need to be separated. Mr. Michaud indicates the wetlands are delineated on the plan, but Mr. Shea responds it needs to be updated. Mr. Shea also states concerns about access and Mr. Michaud responds these are not buildable lots and will not have houses.

Chairman Shea will accept a motion to approve the ANR for the purchase of land along Purchase Street, Assessor's Map 55 Lot 1 to be divided into four lots all of which are to be considered not-buildable lots, with the notation that frontage is illusory by the Planning Board should be included in that. Kevin Robinson makes said motion and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Discussion: The board discusses the access points to the lots.

4. The purpose of this plan is to divide the existing lot shown as Lot 5-0 on the Town of Carver Assessors Map 70 into Lot 1, Lot 2, and Lot 3 a shown hereon. (Assessor's Map 70 Lot 5) 0 Old Center Street and 0 Center Street. Zoning Residential-Agricultural (RA).

Bernard Perrotty, a surveyor of Riverhawk Land Survey addresses the board regarding this matter. He indicates they want to make three lots and the wetlands have been approved by the Conservation Commission.

Chairman Shea will accept a motion to approve the ANR for Lot 5-0, Assessor's Map 70 into Lots 1, 2 & 3 and the Planning Board makes no claims to the buildability of these lots. Ellen Sordillo makes said motion and it's seconded by John Gaskey. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye.
Unanimously approved 5-0-0.

Minor Modification, Cont'd.:

5. Request by Cranberry Point Energy Storage, LLC. for a Site Plan Minor Modification and Special Permit Extension Request 31R Main Street (Assessor's Maps 61 Lot 7-0) Zoning Residential-Agricultural (RA).

Attorney Dan Bailey with Pierce Atwood in Boston represents the applicant and indicates the board had two site visits. Chairman Shea indicates, according to Town Council, unless it is determined there is good cause for the permit not to have been exercised the board has to wait for the Building Commissioner's recommendations.

Donald Williams asks about the range between the battery pack and the school. Mr. Bott states this question came up at the recent Town Hall meeting and he understands the range is about 3,500 feet. Mr. Williams also asks if training will be provided to the fire department, and can the battery pack can be placed behind the fire station. Chris Quarenta with Power Plus responds that in his opinion it would be better on site rather than the fire station. Mr. Bott reads aloud a letter from Deputy Chief Boyle of the Carver Fire Department indicating in-house training will be supplied by the applicant as well as be provided by the fire department and the department does not disapprove of any minor modification.

Mr. Shea indicates the board received a letter from Dan Ferini of 84 Fosdick Road, Carver, opposing the minor modification and the letter will be added into the record. He also received a letter from Mrs. Pratt of 284 Meadow Street, Carver, where she lists several reasons this is not to be considered a minor modification. As this letter was sent to him personally he reads it aloud and it will be entered into the record.

Karen Laughlin of 67 Main Street, Carver speaks to the board indicating she does not consider this a minor modification. She states her property is very close to the school. She also asks if there will be some type of alert system to let the area know there is a problem and the response is with this particular type of system alarms are not necessary. She is concerned about lithium batteries and the response is they are using lithium ion and not lithium nickel cobalt in their batteries. She is still very concerned that the batteries will emit toxic gases into the environment, especially because she is 50 feet away from the site.

Mr. Bott reads aloud minutes from the March 21, 2023 meeting regarding concerns from

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

the board regarding whether this is a minor modification. Mr. Quarenta speaks about the technical difference in battery chemistry.

Richard Dionne asks how the fire department would put out a fire which might occur and the response is if a fire were to happen it would cause a chemical reaction and according to the deputy chief, it will have to burn-out itself out, however the newer batteries will be much less volatile.

Ms. Judith Pratt of 284 Meadow Street, Carver asks what happens if the toxic gases and fumes go into the air and how severe would that be and what kind of threat it poses to the public. The response is, he assumes she is speaking about a runaway thermal incident, he reads data from a technical lab report breaking down the chemicals, most of which are found in residential houses. Mr. Shea interjects he believes Ms. Pratt is concerned about what happens in a catastrophic event and Mr. Quarenta's response is that when tests were performed on one cell on fire, it took seven consecutive tests until another battery caught on fire and the testing concluded the fire would not spread past the enclosure it is contained in so it did not turn into a catastrophic event. Ms. Pratt would like confirmation that the new battery model they will use is enhanced and improved over the past batteries models. She is also concerned about fire department access and the response is access has been improved to allow smoother access to the site.

Ellen Sordillo asks how often the facility will be checked to assure it's working smoothly and the response is the site will be monitored 24/7 by an active network monitoring person.

Pat D'Angelo of 19 Craig Street, Carver speaks to the board indicating she and her neighbor never received a letter about the project and their homes are very close to the site. She is very concerned and worried about what she has heard about the project.

Allison Sanders from Plus Power addresses the board and answers a question from Chairman Shea about the distance from the site to the surrounding properties and her response is on the west side the nearest property is 400 feet and the house on Craig Street is about 400 feet from the western property area. Mr. Shea also asks for details regarding fencing and details are provided by Mr. Quarenta.

Frank D'Angelo of 19 Craig Street asks if the units are in a heated environment and the response is the units are climate controlled in all weather conditions and if somehow the units were affected by climate it will shut itself down. The owner is responsible for snow removal.

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

Chairman Shea will accept a motion to approve site plan minor modifications, with conditions, for 31R Main Street (Assessor's Maps 61 Lot 7-0) Zoning Residential-Agricultural (RA). Ellen Sordillo makes said motion and it's seconded by Kevin Robinson. Chairman Shea lists the conditions and John Gaskey states his concerns about the project. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's nay, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-1-0.

The next meeting on this matter will be on May 9, 2023 until the board hears back from the Building Inspector.

Minor Modification

6. Request by JCM Carver Acquisitions, LLC. for a Site Plan Minor Modification, 287 Tremont Street (Assessor's Map 94 Lot 5-0) Zoning General Business (GB).

Tom Pozerski with Merrill Associates Engineering addresses the board indicating he will provide full site plans to the board regarding the minor modification. Mr. Poreski details the changes they want to make, such as increasing landscaping, adding sidewalks, changing size of the island for better traffic flow, and having better access for fire apparatus. Plans have been submitted to the fire department and the department believes the changes are an improvement.

Jason from JCM Carver Acquisitions, LLC addresses the board stating what work has been done on the site.

Chairman Shea will accept a motion to approve the request by JCM Carver Acquisitions, LLC. for a Site Plan Minor Modification for 287 Tremont Street (Assessor's Map 94 Lot 5-0) Zoning General Business (GB) with amendments as discussed. John Gaskey makes said motion and it's seconded by Richard Dionne. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Other Business

- A. Planning Board Member Notes-Chairman:
- B. Town Planner Notes: No topics at this time.

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

C. Discussion: None.

Minutes: 2/28/2023, 3/7/2023, 3/21/2023, and 4/11/23

Chairman Shea will accept a motion to accept the minutes of 2/28/2023. Ellen Sordillo makes said motion and it's seconded by John Gaskey. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson abstains, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-1

Chairman Shea will accept a motion to accept the minutes of 3/7/2023. John Gaskey makes said motion and it's seconded by Richard Dionne. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson abstains, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-1.

Chairman Shea will accept a motion to accept the minutes of 3/21/2023. Ellen Sordillo makes said motion and it's seconded by John Gaskey. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0

The minutes for 4/11/23 will be tabled for the next meeting.

D. Adjournment: Chairman Shea will accept a motion to adjourn the meeting. John Gaskey makes said motion and it's seconded by Ellen Sordillo.

Documents for 4/25/2023 PB Meeting

ANR application with plan for Johnson Cranberries Ltd., 40 Fuller St.

ANR application with plan for NW Plymouth St. Solar, 204 Plymouth St.

ANR application with plan for Steven Ward, Purchase St.

ANR application with plan for JLK Realty & Development, LLC., Old Center St. and Center St.

Ltr dated 4/7/2023 from D. Ferrini to C. Shea re; Cranberry Point Energy Storage

Cranberry Point Energy Storage, LLC. for a Site Plan Minor Modification and Special Permit Extension Request 31R Main Street (Assessor's Maps 61 Lot 7-0)

Mega Pack 2 L Datasheet re: Cranberry Point Energy Storage

Mega Pack Specifications re: Cranberry Point Energy Storage

CARVER PLANNING BOARD
MINUTES OF April 25, 2023

Reference drawing dated 3/29/2023

Cranberry Point Energy Storage project comparison plan 2021 approved site plan / 2023 Site Plan Minor Modification

Memo dated 3/23/2023 from J. Boyle re: Cranberry Point Energy Storage

Draft decision re: Cranberry Point Energy Storage

Town Counsel email 4/25/2023 Re: Cranberry Point Energy Storage

Application for Minor modification to Site Plan for JCM Acquisitions, LLC. with plans