



Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, April 28, 2020, Virtual Meeting. This meeting was videotaped by Cable Cast Area 58.

Attendees: Bruce Maki, Chairman; William Sinclair, Member; Jen Bogart, Member; James Hoffman, Member

Also Present: Mr. Walsh, Planning Director

Absent: Kevin Robinson, Member

Bruce Maki, Chairman, opened the meeting at 7:29 PM

Roll Call Attendance was performed prior to entering into this virtual meeting

Special Notice –

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A ss. 20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Carver Planning Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Carver website, at www.carverma.gov. For this meeting, members of the public who wish to listen or watch the meeting may do so in the following manner: Area 58 Livestream, www.Area58.tv. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town of Carver website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the meeting designated for public comment, by sending an email to Planning@carverma.gov. The public must provide their full name and address with their comments.

- Jack Williams – This project was left off of the agenda, inadvertently –

Jack – Lot release for Gilbert Estates – Does FUSS & O'NEILL do inspection or does the Town? The decision was made to proceed with Fuss & O'Neill. You have that information in your packets this evening. Mr. Williams – We met there on Friday. They made good time with report and I agree with everything in the report. Mr. Maki – So there is still some work to be done. Mr. Williams – With the situation going on right now, we haven't been able to get much done. We will put the drainage bag in the catch basins and proceed with the rest of the work. Mr. Maki – Andy from Fuss & O'Neill noted that they believe the work is being completed based on plans. Advised that we get a commitment on

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basins. others are minor in nature. What is involved with cleaning the catch basins? How long will that take? Mr. Williams – It is not a big deal except for the current pandemic situation. Mr. Sinclair – The items listed are minor in nature and we are holding two lots with a value of \$300K plus. Before he can get occupancy, he will have to do these minor things. The only concern – Photo #6 – moving a basin? Mr. Williams – No it is a manhole that will eventually need to be brought to the surface. Mr. Sinclair – Gas traps? Mr. Williams – They are all in except for 1 which they didn't seemed concerned over; we can do it during construction. Mr. Sinclair – I think we are in good shape. Mr. Maki – I agree. Any other questions? Ms. Bogart – Do we have a commitment from Williams Bros? Mr. Williams – We will get this done within the next 60 days. You will be holding lots 7 & 8.

Mr. Sinclair – We had a motion at the 2/25/20 Meeting, which still stands (5-0 unanimous vote). The report is complete, we should not need another motion. \$6,966.80 is left in the fund which will more than cover the Fuss & O'Neill charges.

ANR:

- 19 South Main St. – Timothy Bradshaw (Map 87 Lot 2) – **Discussion and possible vote**

Mr. Walsh – Paul from Outback Engineering is with us tonight.

Paul – We are just creating 4 new lots (3 conventional zoning and 1 back lot) They have the frontage. Pretty straight forward. Mr. Walsh – I spoke to Jason re: Lot 3 (rear lot provision). Paul – We just have to prove it hasn't been subdivided. The whole parcel was created in 1980. Mr. Walsh – If you could send that to me, I can get it to the building commissioner. Mr. Maki – All the lots have correct area and frontage. The rear lot meets all requirements. Any members with questions. Ms. Bogart – Are you building houses? Paul – I am just subdividing. I believe they will build. Mr. Sinclair – Lot 3 – How can we approve this as we can't condition an ANR? Mr. Walsh – We can get the information first and move on it at the next meeting. Paul – Just the Ok from the BC? Mr. Sinclair – Yes, the BC will need to see that in order to approve it. Paul – The lot was created in 1980. Mr. Maki – So let's table this, you can get that information to the Building Commissioner and we will see you in two weeks. Get that information to Jim.

- 3 Popes Point Rd. – Justine Marrais (Map 77 Lot 4) – **Discussion and possible vote**

Mr. Maki – Jim and I reviewed all of these plans last week to verify zoning. This one looks good and is pretty straight forward.

Bob Rogers, GAF Engineering – This is a form A for 1 new lot. Very straight forward. Ms. Bogart – Why are you doing this? Mr. Rogers – This is for one new family lot. Ms. Bogart - Plan references town line incorrect for Carver/Middleboro. Why is that? Mr. Rogers – That is referring to the 1981 plan. We are saying that there is a difference between that plan and this. Just a point of information.

Motion to endorse the Form A for 3 Popes Point Road: Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote performed , 4-0

- 73 Rochester Rd. – JLK Realty Trust (Map 27 Lot 96) – **Discussion and possible vote**

John Romanelli and Jamie Bissonnette, Zenith Consulting and Engineering

Mr. Maki – This one looks good, as well.

Jamie Bissonnette – We are looking to create two new residential lots. Mr. Sinclair – You are creating Lot 1 and Lot 3? Jamie Bissonnette – Yes, that is correct.

Motion to endorse the Form A for 73 Rochester Road: Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote performed, 4-0

- Holmes Street - RVW Realty (Map 72 Lots 3-1 & 3-2) – **Discussion and possible vote**

Mr. Walsh – There are two existing lots, 3-1 and 3-2. They are taking pieces of 3-1 and 3-2 to create a lot. They will combine them to make lot 1. What's left of 3-1 will be cranberry bog. Mr. Sinclair – Where is frontage? Mr. Walsh – From Holmes Street. Mr. Maki – They are combining the house and the lot in the back. There is enough sq. ft. and frontage. Mr. Sinclair – Do we know why they are creating the odd shape? Mr. Maki – We don't know. Mr. Hoffman – Where is the exiting building? Mr. Walsh – It was part of lot 3-1. So Parcel A plus Parcel B plus the house will be new Lot 1.

Motion to endorse the Form A for Holmes Street: Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote performed, 4-0

Public Hearings (continued):

- On the application of RPBP, LLC of Kingston, requesting a Site Plan Review pursuant to Sections 2230 and 3100 of the Carver Zoning by-Law, for property located off Spring Street, on Assessors Map 32, Lots 5-E, 6-A, 6-BN, 6-CN and 6-DN, in Carver MA. Applicant proposes the construction of an approximate 7400 square foot commercial building with associated parking area and utilities in the SSID.

Brad McKenzie, Eric Schumacher and Peter Opachinski are here tonight.

Mr. McKenzie gave a background on previous approvals. We opened the hearing on 2/25/2020; it was continued to March 4, 2020. There was a site walk on 3/5/2020. Currently, the Subsurface infiltration is under construction. We resubmitted a letter and light plan modifications on 4/16/2020. Fuss & O'Neill reviewed. Memo on 4/24 indicates that we have met all of their conditions. Plans were displayed for the board.

Mr. Schumacher reviewed the plan and addressed concerns from Fuss & O'Neill

Section 3164 of ZB – Landscaping plan has been revised with intensive landscaping. Red Maple trees, shrubs, fountain grass, etc. Mr. Maki – Lighting fixtures attached to building? Mr. Schumacher – Wall pack lighting. Mr. Maki – Do we have a lighting plan? Mr. Schumacher – I don't believe we have done a photo metric plan.

Landscape islands – There will be three. Our parking calculation indicate that we have now provided more than required.

Section 3242 - A 17' landscape perimeter buffer is required. Our revised plans have 16 parking spaces requiring a 16' buffer. I have included here a waiver request. During the site walk with the PB, there was no issue with our limit of pavement.

Section 3260 – Landscape buffers should include shrubs. We have revised plans to include shrubs and meeting the requirements.

Mr. Maki – Thank you for that presentation. Jen, myself and Jim Walsh did go out to the site. We did look at the corners of pavement and building as they were marked out. We couldn't see anything, looking towards Ricketts Pond. We were concerned with the landscaping but you have addressed that very well. I have had a couple abutters ask questions. The subdivision has already been approved. There was concern over protection of Ricketts Pond. The Conservation Commission has already approved. Ms. Bogart – I agree with a lot of what Bruce has said. Landscaping is important, especially into the residential area. The proposal on Spring Street seems less than Road A. It could provide better screening. The Fountain Grass does not look good in the winter. Mr. McKenzie – The parking lot is close to the property line. There is a sidewalk there and cars will have to stop before the sidewalk. The concern would be site distance, in both directions. We could add more coniferous trees in the front right corner as long as it doesn't impede the site lines. You could condition that tonight. Ms. Bogart – I would like it to be nice looking all year round. Mr. McKenzie – We could mix some juniper in. Ms. Bogart – This is a good start but could be improved upon. Mr. McKenzie – We could mix in some hardier shrubs. Mr. Maki – What are you doing with snow removal? Mr. McKenzie – There is plenty of space available on the right side of that lot. Mr. Maki – previously, there was a question regarding moving the driveway. I did look at it and feel it would be very difficult coming and going with that change.

Abutters Questions -

Mary McGrath 2 Solar Circle –

1. Will trucks exiting still be required to turn right? Mr. McKenzie – The use is for just trades people. This was not designed for large trucks. Mr. Maki – I would expect that most would be going to the highway. Mr. Opachinski – I agree with that.
2. The building runs excessively large for the size of the lot? Mr. Maki – I went to several similar businesses. There were very few cars at the buildings. This seems like the busiest times would be morning access and evening access. Mr. Opachinski – Yes. Mr. McKenzie – we are not even close to the threshold for a 3-acre lot.
3. I would like to see a lot more screening between the building and Ricketts Pond, preferably by plantings but if necessary, fencing. Mr. Maki – When Jen and I went out there, we could not see any houses anywhere. Mr. McKenzie – We agree. The building couldn't be further away from the residential properties. Is there a buffer between residential and commercial property? Mr. McKenzie – There is no district line on the property line. There is a building set back and the parking lot buffer

Dorothy Pollitt High Street

1. We can't switch the drain basin as the subdivision was already approved.
2. Turn the building 180 degrees would make the side of the building visible from the street. The front is more attractive. The loading base would be what you would see. Mr. McKenzie – It would not fit that way. Mr. Maki – The lot is not made for that. Mr. Schumacher – There would be a big impact on grading.
3. Buffering – Mr. Maki – I don't feel that is an issue with this lot. As this plan is developed, each lot will be brought before this Board. We can look at them individually. We did our site inspection during the winter.

Mr. Sinclair – When the BDC looked at this, we envisioned this through multiple meeting with the public. This is what we envisioned. Marion Way looks very good. This will be very similar and is what we envisioned. This is for plumbers, electricians, etc. Mostly vans will be in and out. Mr. Maki – For a commercial park, I think these are done nicely. It won't look like a residential house but will be landscaped and maintained nicely. It won't be a bare metal building; there will be something like a brick façade. Ms. Bogart – The 2/25/2020 memo from Jesse Boyle confirmed that the radius for turning is not less than 40'. Are we providing that? Mr. McKenzie – The lot is 43' deep; I don't see a problem with that. Mr. Maki – Has the fire department reviewed this? Mr. Walsh – They have. Ms. Bogart – I want to confirm that it is at least a 40' radius with a 30' fire buffer. Mr. Maki – We could condition that.

Waivers:

1. Waivers – 31, 31G - Fuss & O'Neill recommends approval of waiver
2. Section 3242 – Recommended by Fuss & O'Neill
3. Section 3341 – Recommended by Fuss & O'Neill
4. Section 3345 – Recommended by Fuss & O'Neill

Conditions were read by Mr. Walsh

Mr. Maki – Can we put a stockade fence around the dumpster? Mr. Opachinski – Yes, we can do that

Mr. Sinclair – Conditions 4 & 5 should say Board, not Director.

Ms. Bogart – Landscape revisions? Mr. Sinclair – Approval of the Site Plan, they have to come back before the Board. Ms. Bogart – if they aren't in the plans tonight it's like they don't exist. Mr. Maki – We can note that and get a revised plan at the next meeting. Mr. McKenzie – That's fine.

Motion to close the Public Hearing for RPBP, LLC of Kingston: Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote performed, 3-1, Jen Bogart

Motion to approve the application for Spring St innovation district for RPBP with conditions and revisions presented tonight: Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote Performed, 3-0-1 Jen Bogart

Public Hearings:

On the application of Eric Pontiff, requesting a Special Permit and Site Plan Review pursuant to sections 2230, 2330, 4341 and 4344 of the Carver Zoning by-Law for property located "Off Forest Street", on Assessors Map 49 Parcel 62- 6 in Carver, MA to construct two Commercial Buildings - Building #1 is 7490 Sf and is to be leased to Nutrient Ag Solutions and Building #2 is 7200 Sf and will be a Craftsman/Tradesman Building in the General Business District.

Mr. Walsh – Mr. Sinclair will be abstaining as he is an abutter. This brings us down to 3 members and would require a unanimous vote. Mr. Maki – We will have to move it to May 12.

Mr. D'Ambruoso – Should it be opened and continued? Mr. Maki – I think we should just table this to our next meeting. I know that it was scheduled for tonight; will 2 weeks hurt the process? Mr. D'Ambruoso Do we have a choice? Mr. Walsh – We will make sure that all members are here for the next meeting.

Other Business

Planning Board Member Notes:

- Mr. Maki -
- Mr. Robison –
- Mr. Hoffman - The Kane Strong Golf Outing has been rescheduled to August 15, 2020.

- Mr. Sinclair –.
- Ms. Bogart – In my opinion, Public Hearings should not be included in these Zoom Meetings due to the process of public questions/response. Mr. Maki – I understand your concern but unfortunately, we would have so many projects building up that we would have difficulty catching up. I would like to be able to put plans on our site so that people that want to see them, can. We are just trying to do our best. Ms. Bogart – We've got to do more to let the public participate in live time, just like the applicants. There was discussion on ideas of how to allow abutter participation with these Zoom Meetings.

Planning Director Notes:

Mr. Walsh – Last week, I spoke with Cara Dahill and her husband, Jim. There was an unknown crew out at their place of business, Fire Fly, in the tree line area, beginning work on solar arrays. There have been no permits pulled for that location. There is supposed to be a flight plan done and submitted to the Planning Office prior to issuance of a building permit. No one has submitted an application at this point. I did go out to the site but there was no activity at that time. I will check again next week. They could just be staging.

Staff is at 50%

Hours – Mon and Tues 8-4. I am monitoring my emails from home the remainder of the week.

Mr. Sinclair – We appreciate all of the staff and all of their help and understand all of the work they are doing. Going down to 50% was not smart.

Minutes of April 14, 2020

Discussion –

RPBP Changes and Fuss & O'Neill changes

Motion to approve the minutes of April 14, 2020, as amended : Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote- All Affirmative (4-0)

Next Meeting date:

Our next meeting will be held on May 12, 2020

Adjournment:

Motion made to adjourn at 9:55 PM: Mr. Sinclair

Second: Mr. Hoffman

Approved: Roll Call Vote performed - 4-0