

CARVER PLANNING BOARD
MINUTES OF August 8, 2023

Approved 9-12-2023

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

Meeting was called to order at 7:03PM.

Public Hearing:

1. On the application of Beantown Home Services, Inc. requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 5300, 4341, and 2230.C of the Carver Zoning by Law, located at Lot #5, Ricketts Pond Business Park (Off Spring Street) in Carver, MA (Assessor's Map 32 Lot 1-5) in the Spring Street Innovation Zoning District (SSID). The lot will be comprised of an approx. 6,621 s.f. light-industrial building with associated driveways, parking areas, closed-drainage system, septic system and utility connections.

Chairman Shea will accept a motion to continue the public hearing, at the applicant's request, regarding the application of Beantown Home Services, Inc. requesting a Special Permit and Site Plan Review to August 8/22/2023 at 7:00PM. Said motion is made by Kevin Robinson 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.

ANR:

2. The purpose of this plan is to create Lot 1 and Lot 2 from property owned by Deborah M. Salminen, (Assessor's Map 101 Lot 14) located at 15 Wenham Road in the Residential-Agricultural (RA) / Village (V) Zoning District.

Stevie Carvello with the Farland Corporation represents the applicant and indicates the purpose of the project is to make two buildable lots. Chairman Shea asks if a Demolition Permit was obtained and the response is no. Mr. Bott indicates obtaining a Demolition Permit has nothing to do with an ANR because an ANR is based solely on frontage on a public way. Richard Dionne asks if there are wetlands on the land and the response is yes, toward the rear of the property which is indicated on the plan by a heavy dotted line. John Gaskey asks if the dwelling is decrepit and members in the audience nod in the affirmative.

Chairman Shea will accept a motion to approve the ANR plan. Said motion is made by Ellen Sordillo 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.

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Public Hearing:

3. On the application of Weathervane at Silva Street, LLC. requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 3900, and 5300, of the Carver Zoning by Law, located at 7 and 9 Silva Street in Carver, MA (Assessor's Map 67 Lots 4-3 and 4-F) in the Residential Agricultural Zoning District (RA). The proposed scope includes the construction of six (6) new triplex residential townhouses consisting of eighteen (18) total units.

Attorney Jeff Tocchio represents the applicant. He is joined by Jim Bristol and Ryan Bristol with Weathervane Companies, as well as Matt Collins and Taylor Corsano of CDG Group. Attorney Jeff Tocchio explains the project by showing images of the plans. They are asking for three minor waivers on the project including landscaping of trees, traffic during peak flows and on-site circulation, and in the units 10-18 patio buffer area. Matt Collins gives a detailed overlay of the project including the entrance, paving, footage between units, drainage and catch basins, gross footage area of units, septic systems, drinking wells, parking, and the open space area.

Chairman Shea asks if they received a letter from the Board of Health and the response is yes. Chairman Shea also asks if this will be two separate lots and the response is yes, and he also asks if an ANRAD has been done and the response is yes. Chairman Shea asks if there are concerns about the potential of segmentation regarding the requirements involved in public well systems and the response is that this will be addressed. Chairman Shea states written permission is required from Mass. Electric in regards to any development inside of their easement.

John Gaskey asks if there has been any testing of the water table and could it be supported because this is already a very concentrated area and this project abuts quite a few properties. The response is they have done test pits in the developed area and they found the ground water was actually lower around where the development is. Attorney Tocchio also states it will be an over 55 community which will keep water usage down. Mr. Gaskey states by adding more families no matter the size it will still drain on the resources. Attorney Tocchio indicates when they meet with the Board of Health next week they will discuss water usage. Donald Williams asks if these will be rental units or purchased units and the response is that it's undetermined at this time and the style of the units will depend on whether they are owned or rented. Mr. Shea points out if they turn out to be condominium units the Board will require a Covenant which will be needed before the project is approved.

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Richard Dionne asks if there will be sprinkler system as this will further drain the water that is available, and the response is they are not sure yet. John Gaskey asks about the existing well that will be near Unit 10 and how it will draw away from resources and Attorney Tocchio answers as per regulations the well is outside the setback at about 100 feet. Attorney Tocchio indicates the dwellings will be two stories with two bedrooms. Attorney She asks about a 40 foot screening from the property lines and what the buildings will look like. Matt Collins shows architectural plans of the buildings. Ellen Sordillo asks how tall the buildings will be and the response is 25-28 feet. Kevin Robinsons asks about buffers of the project in conjunction with several streets in the same area. The response is they don't have landscaping plans at this time but do plan to have the buffers be 40 feet and they will try to retain the natural vegetative state to the maximum as feasible but will put in extensive vegetation for buffers as well. Chairman Shea asks them to submit a landscaping plan.

Kevin Robinson asks how much more traffic there will be in the area and the response is the impact will be minimal because residents won't be leaving or returning at the same time mostly because of the age of the residents. Mr. Robinson would like to defer to the fire department concerning traffic flow and the response is they will put together a summarization on this to be reviewed by the fire department. Mr. Robinson also asks if the infiltration basin will be raised or buried and the response is it is raised so there won't be any surface water going into a small berm along it. Mr. Robinson would also like them to speak personally with abutter to address any concerns they might have. John Gaskey asks about the paved driveways that encroach on the property line on Silver Street and the response is they will look into this. Lastly Mr. Robinson reviews where the 51 parking spaces will be and Attorney Tocchio indicates the garage spaces are included in this number.

Chairman Shea states the Board will need to see more monitoring wells and also confirms utilities will be installed underground. Mr. Shea also asks about plans for rubbish disposal, snow removal, mail delivery, open space, entrance way, and septic systems. He also asks if the Conservation Commission, the DPW, police and fire departments have been notified. Richard Dionne asks if there will be sidewalks and the response is no, but they will look into this further for other possible options.

Ron Warwick of 6 Silva Street addresses the board indicating he is not an abutter but he has two wells and is concerned the project will affect his water supply. He also believes because the property has to be built up so much there will be cracked foundations in the future. Mr. Warwick continues a pond was filled and he believes this will cause problems in the future as well. Jim Bristol with Weathervane indicates there was a negative determination identified where excavation was too deep and that area was

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graded. Mr. Clark of 4 Main Street addresses the board indicating at one time there were frogs and turtles in the pond and now they are all buried. Mr. Clark also wants a steel fence put up to protect his property. Another concern he has is about the two wells and he wants to know if the applicant will fix the wells if they go dry in the future. Taylor Corsano with CDG indicates the Conservation Commission did not consider the property a wetland.

Andrea Accianatte of 11 Silva Street addresses the Board and indicates she abuts the project. She asks if there is a rodent problem and will this be addressed by the applicant and Chairman Shea states a vermin plan will be in the construction plan and will be addressed. She also asks about the access road that has power lines. Chairman Shea states the power company owns that and it's a public utility easement which is 150 feet wide and the Board is requiring Eversource's approval for any work or construction to be done within that easement. Any work that Eversource does to these power lines must be done safely according to Mr. Shea. She also asks about contact information for those who can answer questions or concerns of the neighbors should they arise in the future and Mr. Shea responds there is an Inspections Division and the Board of Health that will address any issues in regards to this. Jim Bristol with Weathervane is also willing to answer any questions or concerns from the neighbors about the project.

Gail Asadgorian is a direct abutter and lives on 5 Silva Street. She indicates there is a large hole on the property and she hopes they will fill it. She is also concerned about the water as she has already had to replace her well once and does not want to have to replace it again. Chairman Shea states the Board is taking precautions and testing pits and monitoring will be used to test the water table in regards to this. She also asks if the applicant will be held responsible if something happens to her well and Chairman Shea and Mr. Bott indicate they do not have an answer to this question but believe a direct correlation would have to be shown if a problem arises. He also indicates they will have more answers for her at the next public meeting on this matter.

Alan Hanford indicates that he and his wife live across from the project and are concerned about water and getting rid of sewage. Chairman Shea indicates these concerns are being closely paid attention to.

Alice McMahon of 2 Silva Street indicates her concern is how much this complex will have on traffic. She also states that many people ignore the stop sign when leaving Silva Street. Chairman Shea indicates traffic will come out of Silva Street but they will check on the alignment of the road exit in relation to existing intersection. She has lived there for many years and there have been many fatalities because people try to go through the traffic light very quickly not to mention the inevitable use of EMT's because it's an over

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55 community. Mr. Shea states they are checking with the fire and police departments and they will also check with EMT services.

Leah Thibeault of 17 Jill Marie Drive indicates her house is located against the buffer zone. She asks if the new houses will be closer to Main Street and Kevin Robinson response, that is correct and that her house is significantly away from the development. She is also concerned about a significant numbers of rats have infiltrated under her house and Chairman Shea indicates she will have to speak to the Board of Health about this issue. He also indicates the Board will be requiring a Vermin Control Plan since most likely the earth will be disturbed which will cause rodent/vermin problems in the area.

Richard Dionne asks Matt Collins to show him on the map where the pond was filled and how deep the pond was. Matt Collins points to the pond on the plan and indicates the pond was about three to four feet deep. Chairman Shea interjects the Board will have Andy Glines with Fuss & O'Neill, the town's consulting engineer, provide test pits in that area. Matt Collins states they have already done test pits there for drainage purposes and found the groundwater in that area was about eleven feet and that is a significant drop from where the groundwater is from proposed grades.

The Board will do a site visit on Thursday, August 17, 2023 at 6:15PM.

Chairman Shea will accept a motion to continue the application of Weathervane at Silva Street to September 12, 2023 at 7:00PM. Said motion is made by Kevin Robinson 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.

Public Hearing Cont'd:

4. Jeff Opachinski (MBO Precast) requesting a Site Plan Review pursuant to Sections 2230 and 3100 of the Carver Zoning By-Law, for property located at 4 Marion Drive, in Carver, MA (Assessors Map 21 Lot 4-2) in the Industrial "C" (IC) Zoning District. Applicant proposes the construction of a 90' x 160' pole barn on previously developed area at the MBO Precast concrete plant.

Chairman Shea indicates a site visit was done. Mr. Bott states this project did not get reviewed by Andy Glines, the Town's consulting engineer, because there wasn't any technical merit because there wasn't any drainage or traffic issues. He also states the Board is waiting for clarification from the police department about new roads however a memo was received from the police department regarding requirements that need to be met. Chairman Shea indicates the Board did request technical information from Fuss &

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O'Neill.

Richard Dionne indicates he did the site visit and asks if the roof on the building is going to affect the area regarding water runoff. Mr. Bott responds that the drainage has already been approved and there will be no change to the drainage on impervious surfaces.

Chairman Shea will accept a motion to approve construction of a 90' x 160' x 32' building subject to conditions. Chairman Shea states the conditions for the project and Mr. Bott reads aloud the draft decision including the conditions. Said motion is made by Ellen Sordillo 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.

Chairman Shea will accept a motion to close the public hearing regarding Jeff Opachinski (MBO Precast) requesting a Site Plan Review. Said motion is made by Kevin Robinson 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.

Other Business:

A. Planning Board Member Notes-Chairman:

B. Town Planner Notes: Mr. Bott indicates he received an email from Eversource letting the Board know they are having three webinars about electrical vehicle charging. The dates are September 14, 2023, September 21, 2023 and August 22, 2023.

Rescheduled Subdivision ANR Training Session: He will let the trainer know what dates the Board is available for the session.

- a. Sign Definitive Subdivision Rescission Plan – Route 44 Development, LLC. Montello Street/Green Park Way, Route 44 Development, LLC. Mr. Bott and the Board discuss rescissions to subdivision plans and subdivision plans in general. Decisions are made to edit the Rescission Plan regarding URP language.
- b. Sign Preliminary Subdivision Plan Decision – New Road Subdivision 3-4 Park Avenue, Route 44 Development, LLC. c/o Charter.

C. Discussion: None.

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- D.** Minutes – 7/11/2023: Chairman Shea will accept a motion to approve amended Minutes of 7/11/2023. Said motion is made by Kevin Robinson and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey abstains, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-1.
- E.** Adjournment: Chairman Shea will accept a motion to adjourn. Said motion is made by Richard Dionne 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.

Documents for 8/8/2023 PB Meeting

Form A – ANR application with map for 15 Wenham Road

Special Permit and Site Plan Application for Weathervane at Silva St with plans

Comments and concerns re: “The Village at Little Vaughn Pond” – Weathervane at Silva St from Board of Health

5/30/2023 memo to BOH from Crocker Design Group re: “The Village at Little Vaughn Pond” – Weathervane at Silva St regarding septic system design plans

5/30/2023 memo to BOH from Crocker Design Group re: “The Village at Little Vaughn Pond” – Weathervane at Silva St regarding well narrative

Draft decision for MBO Precast

Draft decision Route 44 Definitive Subdivision Rescission Plan