

CARVER PLANNING BOARD MINUTES OF FEBRUARY 8, 2022

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Present: Chairman Bruce Maki, Ellen Sordillo, Kevin Robinson, Cornelius Shea, Richard Dionne, and Thomas Bott, Interim Town Planner

Absent: John Gaskey,

Meeting was called to order at 7:00 P.M.

Pledge of Allegiance was recited.

The proceedings will be videotaped and rebroadcast by Area 58 TV.

ANR

1. Create two (2) unbuildable parcels from Lot 2 for conveyance to lot 11: (Map 58, Lot and 11-0) at 28 Fosdick Road. Chairman Maki summarizes the project as taking out two small parcels that have a shed and swimming pool over the property line and this would capture and add them to the parcel that fronts the street. Brian Grady from GAF Engineering addresses the board and indicates there is an erratic property line and they are trying to straighten it out with the purpose to reconstruct the pool, which is over the property line which is owned by Johnson Cranberry, but the pool will go with the house which is also owned by Mr. Johnson. It is the same ownership but on a different lot. Mr. Shea notes that if the pool is within 100 feet of the wetland zone they would have to go through the conservation committee. Mr. Grady responds they will be preparing an application for conservation committee. Thomas Bott, the interim town planner indicates the project is appropriate and meets the by-law and brings forth a motion to approve the project. Cornelius Shea makes a motion to approve the ANR plans for 28 Fosdick Road as presented with the proposed motions by Thomas Bott. It is seconded by Kevin Robinson. Chairman Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0. The members of the board sign the Mylar plans.

Public Hearing Cont'd.:

2. On the application of Richard DeBenedictis, P.E. requesting a Special Permit and Site Plan Review pursuant to sections 2230, 5300, and 3100 of the Carver Zoning Bylaw located at 20 Shoestring Road (Assessor's Map 124 Lot 13-0-R) in Carver, MA. The project is the improvements to Jellystone Park which includes centralized wastewater treatment facility (WWTF) a new set of water supply wells and improved roadway access located in a Residential/Agricultural District. Richard DeBenedictis addresses the board showing the addition of hydrants - 11 total.

He then addresses the comments made by Andy Glines of which they totally agree. He goes over the comments, the first being the definitions of the existing and proposed

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project site meet the definition of commercial recreational campground with components of a commercial recreation outdoors use basis. The by-laws do not have an item for just campground in the zoning by-laws so it will go under commercial recreational campground. Coordination with the fire department but he hasn't talked to them yet, as he wanted to finalize the plans. He believes they have complied with hydrants within 500 feet and the water gates will be able to shut off certain sections of the site.

Fuss & O'Neil make the following recommendations and the applicant agrees to comply: Emergency access will be available in regards to danger from fire, however the building officials will make a final determination. The final determination of emergency access will be made by the fire department. Markings will be added to parking areas & spaces. Pedestrian routes from buildings will be necessary. Utility poles insertion will be confirmed and plans will be provided by an electrical engineering construction company and EverSource.

Mr. DeBenedictis goes on to speak about the water park which won't be constructed until next year in phase 2. Board members want to know the hours the water park will be open. The applicants do not have an answer to that this night because their focus has been on construction, but in the future they will have studies done on this. The board discusses lighting of park with the applicant noting there are several options available, such as sensor and motion detector lighting. Rob Kraus with Northgate Resorts addresses the board and indicates there will be egress lighting at the pathways. The campgrounds are usually lit by the campers' lanterns and camp fires as well.

Mr. DeBenedictis states they are in the process of approving the leaching area which went through a hydrogeological study and has just been approved. Now they will submit the approved hydrogeological plan for the wastewater treatment plan. Other steps will be to submit the plan to DEP for review the operation and after approval construction can begin.

He then discusses the landscaping plan and confirms trees and plants will comply with zoning regulations. Around the campsites will be plants that are relatively low growth.

The applicant will request a waiver for parking lot landscaping since a proposed row of parking exceeds 180 feet adjacent to the lodge, as suggested by Andy Glines.

Ten foot screening buffers along the length of the buildings are recommended by Andy Glines, but the applicant will provide a five foot wide screen which has been approved.

There will be no pavement in the parking areas, instead gravel or crushed stone will be used and the spaces will be identified by posts (no striping). Andy Glines indicates using railroad ties (already on site) and wheel stops could be options for use in the parking area. He would also like to see railroad ties and wheel stops on pathways to lodge and other areas of access for guests.

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The applicant will provide bicycle racks in front of the lodge area.

There will be no loading dock on the property rather all deliveries will be carried directly into the maintenance building.

Signage will be similar to what is already there and right now there are no plans for any additional signs. The signs will only be directing guests to their destination. There will be no signage on Tremont Street.

Soil erosion and sediment control: The applicant agrees this condition should be included in the decision letter. Andy Glines would like to see the water pollution prevention plan addressed before the issuing of a building permit. The applicant must also submit this to the EPA.

Fuss & O'Neil doesn't have any problem with the storm water management, however they suggest additional dry wells may be required to manage storm water but these areas will not be identified until after site improvements have been solved. Fuss & O'Neil suggest a site inspection prior to issuing certificates of occupancy to confirm that storm water and sediment issues are being managed.

Cornelius Shea indicates the dumpsters appear to funnel out to the roadway and asks the applicant if they are addressing any issues on drainage in this area. The response is they can add asphalt and concrete around the area so the water doesn't run off down to the bog.

Noise pollution is also addressed by Andy Glines who indicates Fuss & O'Neil don't have concerns regarding this but believes it should be included in the decision letter that the board doesn't have any concerns about noise.

Another recommendation by Andy Glines is regarding storm water management report concerning the various watersheds designated on the storm water plan for certain areas that water is contained within those areas, for example, the check-in booth which will be down the road from the entrance gate and pavilion. Applicant indicates the area is paved now and they will work on this in the future, and the area is also being expanded. Mr. DeBenedictis indicates the area in the front is lower so it is more difficult to add a detention basin or rain garden. They agree that this needs to be addressed to avoid flooding in that area. Also addressed is an increase of peak flow of sub-watershed between existing and proposed conditions but this area discharges to the pond which as long as it's clean will be okay. Fuss & O'Neil agree this increase in peak flow rate will not be mitigated and will not have an impact on abutters or downstream wells.

A traffic management report will be done and given to the board for review. Mr. Glines does not have a problem with traffic from the expansion of the campground.

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In addition to signing the decision letter the building official will require a sheet to be signed by the planning board and a signature block should be added allowing the planning board approval. The applicant will add this.

The use of filter socks for erosion control along the edges of the perimeter and provide a perimeter around the water park too. The applicant agrees to this.

Fuss & O'Neil want to make sure that there will be no traffic restrictions on Shoestring Road due to the check-in booth and recommend adding to the plan a pull-off lane since this is a public way and needs access by neighbors and emergency apparatus. Applicant does not see any problem with adding this.

Andy Glines indicates the proposed campground area at the north end of the site where there is a main access road from the existing building and camp store they are recommending adding another basin and dry well to pick up some of the flow to the access road to avoid any sedimentation or erosion. The applicant indicates they will address this.

Mr. Shea indicates he would like to see more detailed plans for the water park, specifically, heights of fences and whatever safety measures will be in place. The applicant responds they will be bringing in architects and a water park designer and bring it before the board as a modification. Mr. Shea would like to set this as a condition.

The applicant states they will also be talking to the fire department to finalize safety issues and concerns.

Thomas Bott brings up the water park to confirm it will not be open to the public and is only for campground guests. The applicant confirms this.

Chairman Maki entertains a motion to continue this public hearing to the planning board meeting of 02/22/2022. Kevin Robinson makes a motion to continue to February 22, 2022 and it's seconded by Cornelius Shea. Chairman Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.

3. On the application of Kerri Galbreath requesting a Special Permit pursuant to Sections 5300 and 2230 of the Carver Zoning by Law, located at 72 North Main Street in Carver, MA (Assessor's Map 18-12-2-R) to operate a Dog Daycare in a General Business District. Chairman Maki entertains a motion to continue this matter to the February 22, 2022 planning board meeting at 7:00PM, because the board wants to review this matter more closely. Kevin Robinson makes a motion to continue to February 22, 2022 and it's seconded by Ellen Sordillo. Chairman Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.

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4. On the application of Colin Harris requesting a Special Permit pursuant to Sections 2230 and 5300 of the Carver Zoning by Law, located at 38 Purchase Street in Carver, MA (Assessor's Map 59 Lot 1-27) to re-designate the home from a Single Family with in-law apartment to a 2-Family Home.

Colin Harris and Michele Manley of 38 Purchase Street address the board indicating they have an affidavit stating the executors agree to the application of Colin Harris and they will provide a copy to the board. Chairman Maki entertains a motion to continue the public hearing regarding the application of Colin Harris to the planning board meeting of 02/22/2022. Kevin Robinson makes a motion to continue to February 22, 2022 and it's seconded by Cornelius Shea. Chairman Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.

Public Hearing

5. On the application of George R. Ajami – Timeless Stoneworks, LLC, requesting a Special Permit and Site Plan Review pursuant to Sections 2200, 2230, 3100, 3300, 3345, and 5300 of the Carver Zoning by Law, located at 316 Tremont Street in Carver, MA (Assessor's Map 127 Lot 8) to construct a 7,320 square foot warehouse with store front and associated utilities, parking and landscaping in an Industrial "A" District.

Stuart Clark with Green Seal Environmental, representing George R. Ajami of Timeless Stoneworks, LLC, addresses the board with a presentation of the project. He describes the existing conditions as a 2.8 acre parcel of land with a parking lot, small office, and in the back is a manufacturing building. The ground area around the manufacturing building is gravel. There is also a storm water feature so the water from the front lot flows to the back. There is a pipe in which the water will be directed back up to the infiltration basin. There is a cranberry bog that bumps the property and a wetland resource area with a 100 foot and 65 foot buffer. He indicates this matter is before the conservation commission regarding the area.

Mr. Ajami would like to construct an identical building of 7,320 sq. feet directly across from the existing building which will provide dry storage for his finished products. All the manufacturing would continue to be performed in the existing building. He would also like to add a showroom to display his final work. The applicant is proposing to add a couple of bathrooms in the showroom area so he will have a septic tank put in, but capped until the future. There will be ample room in the parking area for cars to back out and not go out onto Route 58. This lot is serviced by private septic and private well companies so there is no burden on the town's systems. As for fiscal impact, this business has been in business from 2008 and is assessed at \$744,000 and generates thousands of dollars a year for the town. Adding the new building will bring the value to the business which means more revenue to the town. The business is in a zoned industrial area.

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Chairman Maki notes from the plan the proposed building is in the 65 foot buffer area and asks the applicant if this is being addressed by the conservation commission. The applicant indicates the conservation commission would like the new building more to the back of the property, but if that is done, the showroom would not be visible from the street, which is important to the applicant. The applicant doesn't seem to think the buffer zone is not adequately maintained, with no soil, vegetation or organic matter, it's just infiltrating water now. Mr. Maki asks the applicant what if the conservation commission does not approve the project. The response is they will have to do something different and it will address that if needed. Mr. Maki suggests the board do a site walk and would like the new building area staked out prior to the visit. The board discusses the size of the building with the applicant. Mr. Shea addresses the 10 foot screening requirement for the building. The applicant indicates landscaping is being added to accomplish this requirement. Parking is discussed by Mr. Shea and the applicant as Mr. Shea is concerned the applicant wants to decrease the size of the parking lot. The applicant indicates they could add more parking on the side of the existing building.

Andy Glines, the town's engineer from Fuss & O'Neil addresses the applicant and board and indicates he agrees that the conservation committee should review the 65 foot buffer issue. He would like to see more landscaping on the buffer area and a grass channel along that property line as well as removing some of the existing asphalt and gravel. Mr. Robinson asks the applicant to submit an architectural rendering of the project, especially of the showroom. He would like the new building to look a little more pleasing than just a box like structure. Mr. Shea adds he would like to see the conservation commission area marked for their site visit as well.

Chairman Maki entertains a motion to continue this public hearing to the February 22, 2022 at 7:00PM regarding the application of Timeless Stonework, LLC. Motion is made by Ellen Sordillo and it is seconded by Kevin Robinson. Chairman Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.

Other Business:

1. Motion to authorize Town Counsel to draft a response to the Open Meeting Law Complaint on behalf of the Planning Board. Chairman Maki entertains a motion to authorize town counsel to draft a response to the Open Meeting Law Complaint to the planning board. Cornelius Shea makes the motion and it's seconded by Ellen Sordillo. Mr. Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.
2. Chairman Maki makes the announcement that he is not planning to run again for planning board chairman, which ends in the spring.
3. Thomas Bott, the new interim planning director addresses the board discussing his thoughts on ideas and insights on the planning board and planning director rolls,

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including future water system issues for the town due to increased building.

4. Chairman Maki passes out the Harassment Policy which needs to be signed by each member.
5. Motion made by Cornelius Shea and seconded by Kevin Robinson to approve the minutes of 12/14/2021. Mr. Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.
6. Motion made by Cornelius Shea and seconded by Kevin Robinson to approve the minutes of 12/28/2021. Mr. Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.
7. Motion is made by Cornelius Shea and seconded by Ellen Sordillo to approve the minutes of 01/11/2022. Mr. Maki takes a roll call vote: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.
8. The minutes for the 01/25/2022 meeting are tabled until the next meeting.

Adjournment

Chairman Maki entertains a motion for adjournment. Motion is made by Cornelius Shea and seconded by Kevin Robinson. A roll call vote is taken: Cornelius Shea, Bruce Maki, Kevin Robinson and Ellen Sordillo all vote Aye. Approved 4-0-0.

Documents for 2/8/22 Planning Board meeting

- Form A Application and ANR Plan Map 58, Lot 2 and 11-0 at 28 Fosdick Road
- Memo from Thomas Bott, Interim Town Planner to Carver Planning Board 2/3/22 Re: ANR Plan of Map 58 Lot 11 for Francis V. Johnson
- Draft Special Permit and Site Plan Review Decision NGR Capr Cod LLC Yogi Bear Jellystone Park Camp Resort 20 Shoe String Rd
- Memo from Andrew Glines, PE Fuss & O'Neill, Consulting Engineer to Carver Planning Board 1/31/22 RE: Application for Site Plan Review and Special Permit (7 pages)
- Site Layout Plan for Jellystone Park at 20 Shoestring Road, Carver, MA Prepared for NGR Cape Cod, LLC prepared by Webby Engineer Associates Inc., Civil Engineers and Land Surveyors, dated November 19, 2021, revised January 4, January 21, 2022. Sheets 5, 6, and 13 of 13.
- Application for Special Permit of George R. Ajami – Timeless Stoneworks, LLC. 316 Tremont St
- Application for Site Plan Review of George R. Ajami – Timeless Stoneworks, LLC. 316 Tremont St
- Proposed Facility Expansion 316 Tremont St Carver MA Site Plan Prepared for 316 Tremont Street LLC prepared by Green Seal Environmental, LLC, dated 11/1/21(9 sheets)
- Req for Continuance to 2/22/22 from Kerri Galbreath Dog Day Care 72 N. Main Street
- Open Meeting Law Complaint by John Gaskey
- Draft Planning Board Minutes 1/25/22