

CARVER PLANNING BOARD
MINUTES OF June 27, 2023

Approved
7/25/2023

Chairman Cornelius Shea, Richard Dionne, Kevin Robinson, Ellen Sordillo, and Donald Williams.

Absent: John Gaskey, Thomas Bott, Town Planner.

Meeting was called to order at 7:00PM

Chairman will accept a motion to move Item No. 3 to the first order of business. 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, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-0.

Other Business:

1. Preliminary Subdivision Plan – Route 44 Development, LLC. c/o Charter, 3-4 Park Avenue, (Assessor's Map 20, Lots 2R, 14R, 21R, Map 22 Lots 11R, 3AR, 3R, 3-1R, 3B, 4, 5A, 10, 10-1 and Map 24 Lots 1 and 2) New Road Subdivision – Route 44 Development, LLC. Zoning District Highway Commercial (HC) and Green Business Park (GBP).

Chairman Shea indicates he has not been able to schedule time with Town Council due to scheduling conflicts and plans to meet with them in early July. The Route 44 Development, LLC subdivision review will occur at such time until we can consult with Town Councilors.

Melissa Jackson of Heather's Path, Plympton, MA addresses the Board and asks if abutters are going to be notified of the upcoming meeting because many of the abutters in the audience tonight did not receive notification of the meeting tonight and she believes abutters should absolutely be notified. Chairman Shea responds the Planning Board does not have a requirement to notify the abutters for a preliminary plan, but when a definitive plan comes before the Planning Board the abutters will be notified.

Public Hearing Cont'd.:

2. 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. Any person's interest and wishes to be heard should appear at the time and place

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designated. A copy of the plan is on file at the Planning Department and may be reviewed during normal business hours. The applicant has requested a continuance until July 11, 2023 at 7:00PM in Meeting Room 1.

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 July 11, 2023 at 7:00PM. Said motion is made by Richard Dionne and it's seconded by Kevin Robinson. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-0.

Michele Rothfuss, a Carver resident, addresses the Board and asks if the Route 44 project is going to be spoken about at all tonight. Chairman Shea responds, yes, the definitive subdivision rescission plan is on the table tonight.

Public Hearing:

3. Definitive Subdivision Rescission Plan – Route 44 Development, LLC. c/o Charter, 3-4 Park Avenue. A public hearing notice on the application of George A. McLaughlin, III requesting a Definitive Subdivision Approval pursuant to the Carver Subdivision Control By-Law. The property is located on Montello Street, Green Business Parkway on Assessor's Map, (Assessor's Map 20, Lots 20-2, Lot 20-14, and Map 22, Lots 22-3, Lots 22-3A, 22-3B, 22-3C, 22-4, 22-5A, 22-10-1, 22-11 in Carver, MA in Zoning District Highway Commercial (HC) and Green Business Park (GBP). Those that wish to hear heard should appear at time and place designated. A copy of the plan is on file at the Town Clerk's office and may be viewed during normal business hours.

Bob Rogers and Bob Delhome with Route 44 Development, LLC, as well as Attorney Susan Murphy with Dane Torpy are present to represent the applicant. Mr. Rogers indicates they obtained a 300 foot list of abutters and it was submitted with the application filed on May 23, 2023. She explains this will rescind prior approval of a subdivision plan on Mead Avenue, aka, Park Avenue that was granted many years ago and by the terms of the original 1995 subdivision approval if it wasn't built by October 31, 1999 it was deemed to have been rescinded. Chairman Shea clarifies they are rescinding the previous approved lots and making it a big continuous lot which is called for in the Urban Renewal Plan.

Jean Winslow of 28 Heather's Path, Plympton, MA addresses the Board indicating she would like to see the list of abutters and what constitutes the 300 feet as she directly abuts Route 44's property at the end of Heather's Path. Chairman Shea asks her if she received

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notification of the project and she responds she has not. Chairman Shea will check on this. Another concern she has, since she has lived there for 30 years, is the quality of the water. Mr. Shea explains it has to be topical and the topic is the rescission of all previous subdivisions to create a unified lot at this point. He continues, it's not about development and the Planning Board cannot deal with other issues at this time, however this will be looked at when the development site plan goes through proper scrutiny regarding requirements for water and protected areas of wetland.

Melissa Jackson of Heather's Path in Plympton, MA addresses the Board and speaks about how at the Town meeting they were going pass a 65 foot height variant because the plan was rescinded by the older company who decided not to build. Chairman Shea responds the Board cannot talk about this at this time but she could call the Planning Department in regards to this. He continues, the previous plan was not rescinded and the Urban Renewal Plan is valid for twenty (20) years and the Urban Renewal Plan was approved prior to the Town meeting she references and there is a statutory limitation on the length of time. She understands the Redevelopment Authority (RDA) and the Carver Planning Board had to coexist on any changes to the Urban Renewal Plan and she asks if that has happened. Chairman Shea responds the Board has not had a joint meeting with the RDA regarding the Urban Renewal Plan in order to consolidate the property and clean up issues regarding prior subdivisions. She asks when there is a change on the plans don't the plans have to be submitted to the state especially when it comes to the wetlands and Chairman Shea indicates he cannot answer that question at this time. She asks if part of the mitigation features of the PFAS in that area and should they be getting their wells tested and if PFAS are found will there be some sort of mitigation that Carver will pay for to have a filtration system remove the PFAS. Chairman Shea responds she should contact the Conservation Commission and talk to a Conservation Agent and the Planning Department in regards to this question.

Mark Roberts of 20 Montello Street addresses the Board and asks about the two and six acre spin-off and Chairman Shea responds the lots are not included and were not approved in the prior subdivision plans. Mr. Roberts continues indicating he understands the Board had issues with document submission because it was missing information and believes it's invalid because it didn't make the Town meeting deadline and there should not be further questions about the 40 or 60 foot height variant. Chairman Shea points out the Board is not able to talk about this because they are waiting on a consultation with Town Council.

Michele Rothfuss of Carver, MA is concerned because right now the property is becoming a dumping ground and Chairman Shea responds this is not on topic tonight, but she counters that the property should be cleaned up and wants that to be part of the plan.

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Chairman Shea also indicates this project is in the early steps in regards to the Urban Renewal Plan and this is the consolidation stage. He recommends for her to contact the Building Inspector and the DPW to request them to look into it.

Steve Cohen of 20 Heather's Path, Plympton, MA addresses the Board indicating he wants to follow up on Park Drive because it's a mess and he's confused because the Board is telling those who live in Plympton that they need to call the Carver DPW and request them to do something about the mess and he asks why doesn't Route 44 Development, LLC take care of the problem. Chairman Shea points out the Board is not an enforcement agency, but Mr. Cohen counters the Board members are still representatives of the Town and they should have a conversation with the DPW about the problem.

Attorney Susan Murphy for Route 44 Development, LLC addresses the Board and while she and Mr. Delhome were listening to the neighbor's comments he decided to have someone go the property to see what is happening regarding the illegal dumping and in what condition the property is in.

Chairman Shea will accept a motion to continue the public hearing regarding the definitive subdivision decision plan for Route 44 Development, LLC to July 11, 2023 at 7:00PM. Said motion is made by Ellen Sordillo and it's seconded by Richard Dionne. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-0.

Chairman Shea thanks the neighbor's for their input at tonight's meeting and the Board takes the comments and questions very seriously.

A. Planning Board Member Notes-Chairman: None.

B. Town Planner Notes: None.

C. Discussion: None.

D. Minutes – 05-23-2023:

Chairman Shea will accept a motion to approve the minutes of 05/23/2023. 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, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-0.

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E. Adjournment:

Chairman Shea will accept a motion to adjourn. Said motion is made by Ellen Sordillo and it's seconded by Richard Dionne. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Approved 4-0-0.

Documents for 6/27/2023 PB Meeting

6/14/2023 memo from A. Glines to PB re: Beantown Home Services, Inc. 5/31/2023 Wankinco

5/23/2023 Ltr from J. Harper to PB re: Definitive Subdivision / Rescission Plan for Montello Street & Green park Way for Route 44 with application and plans