



## Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, June 9, 2020. This meeting is being held at the Carver Middle High School due to Social Distancing Requirements. This meeting was videotaped by Cable Cast Area 58.

Attendees: Bruce Maki, Chairman; James Hoffman, Member; Kevin Robinson, Member; Jen Bogart, Member; Ellen Sordillo, Associate Member

Also Present: Mr. Walsh, Planning Director

Absent: John Gaskey, Member

Bruce Maki, Chairman, opened the meeting at 7:19 PM

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Mr. Maki - A lot has happened since our last meeting. John Gaskey was elected but is not able to be with us tonight. Also, two of our members were elected to the Select Board but are with us tonight; Ms. Bogart and Mr. Hoffman. We will hold off on the reorganization as our new member is not here tonight.

Mr. Walsh – We sought legal opinion from KPLaw due to the two members being elected to Select Board. Their opinion is that these members can participate this evening. After this meeting, they will resign from the Planning Board and then be sworn into the Select Board.

Mr. Maki – We are happy they are here tonight.

### **Public Hearings (Continued):**

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 7,490 Sf and is to be leased to Nutrient Ag Solutions and Building #2 is 7,200 Sf and will be a Craftsman/Tradesman Building in the General Business District.

Mr. Maki – Because of the health crisis, we have mailed out notices to abutters regarding the applicable format of each meeting. The abutters can participate by emailing in questions and when the meeting(s) is a scheduled Zoom Meeting they can dial into that meeting. We are happy to have it in the auditorium tonight. Since our last Zoom Meeting, we had a site visit for the Off Forest Street parcel.

Representing Mr. Pontiff - Mr. D’Ambruoso, Attorney and Mark Flaherty Civil Engineer Mr. Eric Pontiff is also in attendance.

Mr. D’Ambruoso - This is our 3<sup>rd</sup> appearance before this Board. We have addressed all questions and had a site visit. I am hoping to finish this up tonight.

Mr. Maki - There were questions about the safety of the project. There will be steel floors with 6” sides for the AG building. There are flip boards at the doors and the bays which will contain anything that might be spilled. There will be three bays that will be rented by AG, in the back building, they will also have identical safety measures. Mark Flaherty – A review of the plan was performed for the Board Members. We have a large subsurface drainage system. We have an emergency valve for any type of spill, that would shut down before any water would enter the infiltration system. The staff will be familiar with the operation of this emergency valve. Mr. Forgue made some suggestions. Fuss & O’Neill looked at it and the overall site. We have addressed all comments and suggestions. We also met with Jesse Boyle. The emergency report from the current location will be transferred to the new location. There are wells. The ground water direction was questioned. The ground water direction will be towards route 58/Muddy Pond/landfill and away from the residential area. We hope all parties are satisfied. Mr. Maki – The engineer company also came up with the floors too? Mr. Flaherty – That is correct. Mr. Flaherty read the letter from that engineer company, Jefferey Mason, Howe Engineer, Norwell Ma. Mr. Maki – The chemicals at this location will be bog chemicals? Mr. Flaherty – Correct. Mr. Maki – Any spills in the current location? Mr. Pontiff – No. Mr. D’Ambruoso – These are all agricultural products. These are not

high hazard products. Mr. Maki – So this is what is currently used in the bogs in Carver? Mr. D’Ambruoso – Yes. Mr. Flaherty – Also, the fire department has the list and is aware of everything that will be housed at this location. Mr. Maki – Any change in the inventory? Mr. Pontiff – No there is no change. They also have the same containment system at the current location. These are full bags, etc. There will be no mixing or opening of the product in the facility. Mr. Maki – There were questions about the plantings; I felt they were adequate. The rear property line is well covered with evergreen. The left rear property line may need supplemental planting. Mr. Flaherty – There is a plan in front of you and includes a double row of staggered arborvitae. Mr. Robinson – When we looked at it, I am hoping that can put in larger, fuller trees instead. Mr. Flaherty – That sounds fair. Mr. Robinson – I think the public should be aware of what chemicals are on site. Mr. Pontiff – It’s filed annually with the Fire Department. Mr. Robinson – Yes, but if the public were aware of that and your systems, it would be helpful. Mr. Maki – The Fire Department records are available to the public. Mr. Robinson – I think it is good that the public has access. Mr. Walsh – All of the documents have been posted to the website; which include this information. Ms. Bogart – The back building with 5 bays and 5 parking spaces. This doesn’t seem to be enough. Mr. Flaherty – Each bay owner would park in the striped spaces. We also have a hatch area that could be changed over to spaces. We could restripe. Mr. Pontiff – Those spaces should be adequate for what they are using it for. If we stripe too much it would be a disservice to the bay owners. Ms. Bogart – Why are the in-between spaces not parking spaces? Mr. D’Ambruoso – Commercial requirements is going to dictate what is needed. Ms. Bogart – In the calculations it is 1 per 2 employees? Ms. Sordillo – What about customers coming in? Mr. Flaherty – Maybe you can give me some guidance? Eliminate the hatch areas? Mr. Maki – Just leave them as regular spaces and tenants can use cones if they don’t want someone parking there. Ms. Sordillo – What about handicapped parking? Mr. Flaherty indicated where on the plan the handicapped space(s) are. Ms. Bogart – If we can increase to 10 spaces that makes me feel better. Mr. Maki – I have driven around and looked at all the Craftsmen/Tradesmen buildings in town. They are very quiet during the day and use less than ½ of the parking spaces available. Mr. Robinson – Can it be broken down into one tenant? Mr. Flaherty – There are 5 bays, 3 are already going to be used by AG. Mr. Hoffman – Can you do some parallel parking at the same time? Mr. Pontiff – Yes, that’s a great idea. Ms. Sordillo – Will there be signage? Mr. Flaherty – We have to come back after design and apply for a sign permit. Ms. Sordillo – That access is tricky, maybe we can do one further down the road to warn for truck traffic. Mr. Flaherty – That is something the building commissioner will work with us on.

Judy Richards – 5 Lillian Way

It’s hard to tell from the map how the water flows. You are now using the back building for AG; no sprinkler system still required? Mr. Flaherty – I can provide a larger map for you. I have put in a directional signal to show the flow. Mr. Pontiff – Let’s show her right now. Mr. Flaherty showed Ms. Richards the diagram. Mr. Maki – It is not unusual for a site to have two buildings to keep it under the square footage to eliminate the need for a sprinkler system. Ms. Richards – The back building has containment? Mr. Maki – Yes, the 3 bays that AG is going to use. Ms. Richards – How can you get around that building? Mr. Maki – The Fire Department has okayed it. Mr. Flaherty – There is also a 12’ access on another side. The Fire Department and Fuss & O’Neill are satisfied with all the changes that we have made. Ms. Richards – My big concern is the water; they seem to have a plan for that. Mr. Maki – There has been a lot of thought in this, with the steel floors, etc. Things have been run well at the existing location.

No further questions heard.

*Motion to close the Public Hearing for the application of Eric Pontiff for Off Forest St: Mr. Robinson  
Second: Ms. Sordillo  
Approved: Unanimous 5-0*

Mr. Walsh - We can add the new language for Section 3330 (Parking – 5 spaces increased to 10)

Conditions were read by Mr. Walsh – 7 conditions in total.

Add - new #5 Reduction in landscaping shown on approved site plan; then it will be used in equal amounts applicable to the borders of the SW corner for residential properties. Mr. Pontiff – Don’t build the hedge and get 25’ trees in that area (left rear corner). Specific wording will be discussed with Jim for adding.

Add – new #6 Change in parking spaces (5 changed to 10, with the removal of hatching) in addition, 7 parallel spaces along southern property line. There will be a total of 25 parking spaces.

It was noted that the plan set will need to be revised. The updated plans can be signed at a later date.

Add - new #7 - Mr. Hoffman – Should we note the spill containment? Mr. Flaherty – We could condition that. Containment information from Howe report, condition. Concrete floor – impervious material, 6” steel barrier (floor to wall.) Mr. Maki – Does someone monitor the facility all year? Mr. Pontiff – Yes, they have regular hours all year. Mr. Maki – Can you provide the floor specifications to Jim for the record? Mr. Flaherty – We can give Jim a diagram that could be attached, with specs for spill containment. Mr. Maki – This could be added to the decision.

*Motion to approve the Special Permit and Site Plan Review, with amended conditions for Eric Pontiff, Off Forest Street property: Ms. Bogart  
Second: Mr. Robinson  
Approved: Unanimous (5-0)*

### **Discussion:**

- Linbia’s Path – Lot release and marketing of affordable unit. Discussion and possible vote

Mr. Walsh – Karen Cash requested to hold off on the decision. She needs to work on some items.

- 309 Tremont Street, Unit 4 – Automotive Services Special Permit. Discussion on application materials required considering recently approved site plan for property.

Mr. Maki – I looked through the approved plans and went by the site today. There is, on the plan, a drain containment area for anything that goes on the floor. The parking was a concern for me. When I went by at 3:00 today, less than ½ the spaces were used. Mr. Walsh – Mr. Emerson applied for a special permit for the auto repair use. Is what’s provided adequate for a hearing?

Mr. Emerson, 6 Linda Lane, Somerset – I built this a couple years ago. Every one of our garage bays is pitched and goes out to a site tank. The parking lot has a sub-drainage system; everything is bermed. When we build, we take risk as we don’t know what will end up going in it. This has been a struggle. We finally have good clients; HVAC company, Crane Co., Electric Co., an Online company for parts. These units do not use much parking. Unit 4 is the last one. The applicant is looking to run an auto repair place, by appointment only. Should only be a couple cars at a time. He is moved in but not doing service yet. Parking spaces will not be an issue. He wants to do this the right way.

Mr. Robinson – The only obstacle would be the Board of Health. They would have to approve for possible spill. Mr. Emerson – I went to Jesse Boyle and ran it by him. He researched and called me back. He said that this fits and he will recommend to the Board. I also went to Bob Francis. He feels it is ok but did say I would have to go before Planning which is why I am here tonight. Mr. Robinson – Mr. Emerson does improve this town! Ground Effects looks great, Center Street looks great. Mr. Emerson – I own a lot of property in this town. I love this town. I pay a lot of taxes here. I think we have to be pro-business. We, as a town, tend to bog things down.

Mr. Maki – I think your explanation was excellent. When you come to us for the special permit, just bring an explanation for parking and a little history. You have spill containment already.

Mr. Hoffman – On the application it says Unit 4, but the map says 3. Mr. Emerson – It should be Unit 4. Mr. Hoffman – I wanted to note that it indicates there is 3 parking spaces in the front and 3 in the rear for Unit 4. Mr. Robinson – The renter is putting revenue into this town. If he did it at home, he wouldn’t have a containment center. Mr. Emerson – Can I come next time or does the applicant need to be here? Mr. Maki – You can do it. Mr. Robinson – There is benefit to the applicant coming to the meeting; free advertising. Mr. Emerson – I think he is very nervous and not familiar with what to do.

- 10 Alexandra Way – Vote on Lot Release

Mr. Maki – I went there today. All the houses are built. Mr. Walsh – The request is from an attorney who is doing a closing. They are missing the lot release from 2003. Nor has it been recorded at the Registry of Deed. He needs an original. All members would sign this tonight.

*Motion to release lot 8 for 10 Alexandra Way: Mr. Hoffman*

*Second: Mr. Robinson*

*Approved: Unanimous (4-0)*

- Training Opportunities for Board Members
  - Creating Master Plans is being offered (live on line) - 6/15/2020 at 7:00
  - Rules and Responsibility of the Planning Board
  - Special permits and variances

### **Other Business**

#### ***Planning Board Member Notes:***

- Mr. Maki – Thanks to Jim and Jen for being here tonight so that we could finish that public hearing. I will miss you both and wish you the best of luck on the Select Board.
- Mr. Hoffman – Thank you all. It's been a great 6 years. I have learned a lot. This is a great team.
- Ms. Bogart – Thank you all. I have learned so much.
- Mr. Robinson –
- Ms. Sordillo – I am having fun.

#### ***Planning Director Notes:***

Nothing tonight

#### ***Minutes of April 28, 2020, May 12, 2020 and May 26, 2020***

*Motion to approve the minutes of April 28, 2020, as written: Ms. Bogart*

*Second: Mr. Hoffman*

*Discussion:*

*Approved: Unanimous (4-0)*

*Motion to approve the minutes of May 12, 2020, as written: Ms. Bogart*

*Second: Mr. Hoffman*

*Discussion:*

*Approved: Unanimous (4-0)*

*Motion to approve the minutes of May 26, 2020, as written: Ms. Bogart*

*Second: Mr. Hoffman*

*Discussion:*

*Approved: Unanimous (4-0)*

***Next Meeting date:***

Upcoming meetings: June 23, July 14, July 28, August 11 and August 25

Our next meeting will be held on June 23, 2020, at 7:00

***Adjournment:***

*Motion made to adjourn at 9:08 PM : Mr. Hoffman*

*Second: Ms. Sordillo*

*Approved: Unanimous (4-0)*