



# Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, March 10, 2020, Carver Town Hall, Meeting Room #1. This meeting was videotaped by Cable Cast Area 58.

Attendees: Bruce Maki, Chairman; William Sinclair, Member; Jen Bogart, Member; Kevin Robinson, Member

Also Present: Jim Walsh, Planning Director

Absent: James Hoffman, Member

Bruce Maki, Chairman, opened the meeting at 7:02 PM, followed by the pledge of allegiance.

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## Informal Discussion:

- Linbia's Path – Mr. Walsh – No one is here from the project. The notes on the project from 2014-2015 do not have much information about requirements for affordable unit, specifically regarding a garage. At the time, Fuss & O'Neill noted there was no garage and the applicant replied that the Planning Board didn't require one. I will talk to (former Planning Director) Jack Hunter to see what he remembers and if he may have anything. Will and I will be meeting with a group from Kingston to talk about dealing with affordable units and how to market them. This project will be on the March 24<sup>th</sup> agenda. Mr. Robinson – I know the Planning Board discussed it back then and that the house wouldn't be different – maybe things inside the house would be different, but not something as big as not having a garage. Mr. Maki – It will get looked into.

## Public Hearings (continued):

- On the application of Clean Energy Co., Joe Shanahan, requesting a Special Permit and Site Plan Review pursuant to Sections 2230, 3100, 3580 and 5300 of the Carver Zoning by-Law, located at 0 Snapit Road (Assessors Map 34, Lot 2 and 5 and Map 33, Lot 9-C) in Carver, MA to allow the construction of a 2.0 MW dual use, large-scale ground mounted solar photovoltaic project proposed to be constructed and operated on and in conjunction with the existing active cranberry bogs in a Residential/Agricultural District.

Mr. Walsh – I received an email on 3/6/20 from the applicant's engineer requesting a withdrawal without prejudice. Mr. Walsh then read the email into the record. Mr. Sinclair – We need to close the public hearing before we vote on it. Mr. Tuberosa (abutter to project) – Will the process start all over again and will all the abutters get new notifications? Mr Maki – Yes.

*Motion to close the Public Hearing for Clean Energy Co.: Mr. Sinclair*

*Second: Ms. Bogart*

*Approved: Unanimous (4-0)*

*Motion to accept a withdrawal without prejudice of the application: Mr. Sinclair*

*Second: Mr. Robinson*

*Approved: Unanimous (4-0)*

- On the application of RBPB, 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.

Mr. Walsh – I received an email from Mackenzie Engineering on 3/9/20. Mr. Walsh then read it into the record. They are requesting a continuance to 3/24/20. Mr. Sinclair made motion to continue public hearing for RBPB, LLC to 3/24/20. Ms. Bogart seconded the motion. Motion approved 4-0. Mr. Walsh – Does the Board want more information beyond what the email stated? Mr. Sinclair – There was past concern with site lines from High Street. Mr. Maki – Jen and I had a site visit last week. Things were staked out, it was pretty well-wooded around the site this time of year, it is several hundred feet from High Street. I received an email from a neighbor about moving the drainage basin. We can't do that because it was already approved by this Board. There was also an inquiry about moving the driveway off Spring Street. The current road is being used for excavation and is busy with big trucks. It's a real safety concern to use the same entrance. There are potential planting areas of at least 10' for landscaping in the front and we asked for a detailed landscape plan and idea of what the building will look like. We want a nicer building there because of the area. Ms. Bogart – I was very concerned with landscaping. There is opportunity up front and on the side near High Street for the edge of clearing near Ricketts Pond for a lot of landscaping so I made sure to request a very detailed landscape plan.

*Motion to continue the Public Hearing for RBPB, LLA to 3/24/2020: Mr. Sinclair*

*Second: Ms. Bogart*

*Approved: Unanimous (4-0)*

## **Other Business**

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

- Mr. Sinclair – Just to give an update on the North Carver Water District, the new generator is up and running and the old one was auctioned. The town ended up with about a \$30,000 profit. The old one was problematic and oversized.
- Mr. Maki -
- Mr. Robinson -
- Ms. Bogart -

***Planning Director Notes:***

Mr. Walsh – Mr. Silva of 72 Center Street has a previously permitted Borrego solar project and has some questions about landscaping. Ed Silva (72 Center Street) – Borrego had submitted a landscape plan. At what stage in the process does the landscaping have to go in? Mr. Sinclair – When the Planning Board approves a permit, a condition of approval is in there and normally the landscaping is put in when it will be most effective during the construction phase. It must be done before the COC is issued. Mr. Silva – I have a problem with a prior decision of letting a few abutters have money for landscaping and concerns about when it's done. Mr. Maki – This type of project was new to the Board. If Borrego was landscaping on their property, they'd need it done by the end of the project. In this case, it was different. Borrego had talked to abutters concerning screening on top of the hill and at the bottom. I think Borrego was getting estimates for the cost for screening the hill and giving checks to the abutters instead. Whether the abutters do it or not is beyond the Board's control. Mr. Silva – I'm concerned with where the screening is put. Mr. Maki – It's at the owners' discretion. Mr. Silva – I want to make sure the landscaping isn't on my property. Mr. Walsh – Would the permit be revoked if the screening was not done? Mr. Sinclair – So you are the property owner? Is your concern that if a neighbor takes a check and never does the screening that it affects your project? Mr. Maki – And you're afraid a neighbor will put trees on your property? Mr. Sinclair – Borrego made the deals with the neighbors. Any grievance would be with the neighbor. The Town wasn't part of the negotiations. Mr. Silva – I disagree. Mr. Sinclair – I recommend you talk to Borrego. Mr. Silva – Borrego spoke to the abutters, not me. I have raised my concern with Borrego also. Mr. Sinclair – Borrego is a stand-up company. I'm sure they'll handle it correctly. Ask them for a copy of the agreement because without looking at the decision by this Board I can't really say much more. I'd be surprised if (prior Planning Director) Stephen Cole didn't put it in the decision. [Mr. Walsh had a copy of the decision with him. and Mr. Sinclair then read condition #6 from it that said screening must be done before the COC can be issued.] Mr. Silva – That clarifies it. Thank you.

Mr. Walsh – I took all the changes to the zoning by-laws and submitted them to the Selectmen's office to be put in the Town Meeting warrant.

***Minutes of February 25, 2020***

Ms. Bogart – I didn't get them. Mr. Sinclair – I didn't either. They weren't in the packet. Mr. Maki – Ok, we'll table them to next time.

***Next Meeting date:***

Our next meeting will be on March 24, 2020 at 7:00 PM

***Adjournment:***

*Motion made to adjourn at 7:48 PM: Mr. Sinclair*

*Second: Mr. Robinson*

*Approved: Unanimous (4-0)*