



## Town of Carver Planning Board

March 23, 2021  
7:00 PM  
CARVER TOWN HALL

*approved  
5/25/21*

The public is invited to attend; social distancing practices are in effect.  
The proceedings will be videotaped and rebroadcast by Area 58 TV.

### Pledge of Allegiance

Members present: Kevin Robinson, Richard Dionne, Ellen Sordillo, Bruce Maki, Cornelius Shea

Members Absent: John Gaskey

Member participating remotely via Zoom: None

Others present: Jim Walsh, Planning Director, Sarah Stearns, Jack Williams, Jack Rierdon, Shawn Reilly, Jesse Boyle from the Carver Fire Department

Others present via Zoom: Allyson Sand & Polly Shaw with Cranberry Point, Ken Conte with A.D. Makepeace, Chris, Brett Meredith, Adam Schumaker, Carver Resident, Robert, Pat Jackson, Ian Ward

The meeting was called to order at 7:01 pm.

### **Zoning Articles Public Hearing:**

The Chairman states that after last meeting, we are yet to close the public hearing for the Zoning Articles. Today we will review Proposed Changes to Zoning Bylaws Discussed at Previous Meetings, and Amend and Approve as Necessary:

- Townhouse Definition and Vote to Recommend to Town Meeting: Mr. Walsh states that there is one change we would like to make. Mr. Robinson motions to motion dropping "a" and adding "s" to units". Ms. Sordillo seconds this. This will be the recommendation to town meeting. Roll Call vote- Shea, Maki, Robinson, Sordillo 4-0 yes.
- Floodplain District and Vote to Recommend to Town Meeting: Mr. Maki and Mr. Walsh looked into what could be done legally to make the bylaw changes as discussed last session. Mr. Shea makes the motion to approve the changes as discussed by Mr. Walsh. Mr. Robinson seconds. Roll call vote: Shea, Maki, Robinson, Sordillo 4-0 yes.

The Chairman recommends motion to close the public meeting. Mr. Robinson motions to close the public hearing, Mr. Shea seconds the motion. Roll call vote, Shea, Maki, Robinson, Sordillo 4-0 yes.



## Town of Carver Planning Board

### **ANR:**

Off Wenham Road, (Map 107, Lot 4-1), AD Makepeace, Beals and Thomas:

Ken Conte here on behalf of A.D. Makepeace. Parcel consists of 570 acres of primarily cranberry bogs. Looking to separate out 13-acre parcel located on northeast corner of the property. Parcel does not have frontage. Parcel 20-17 which by an access as access to Meadow Park Rd. The Chairman asks for questions from planning board members. Mr. Shea confirms that this is not to be considered a build-able lot due to having no frontage. Would like to add in that this is not to be considered a build-able lot. Mr. Conte states that he would have to discuss this with his client. Ms. Stearns from Beals and Thomas points out that we are proposing carving this lot off of A.D. Makepeace. Asks the board to consider industry standard as well as prior approved plans. The Chairman entertains a motion to endorse the form A. Mr. Robinson motions to endorse form A. Ms. Sordillo seconds the motion. Roll call vote, Shea, Maki, Robinson, Sordillo 4-0 yes.

### **Lot Release:**

Request to Exchange Lots Held by Town, Ewell Estates, Jack Williams: There is a Jewel Street covenant on the subdivision right now, the town is holding lots. Would like to exchange lots 7 and 9. Reason is that the real-estate broker sold lot 7 instead of lot 9 because people like that lot better. Each lot about 3/4 acre. The Chairman notes that we have done this before, and generally the board will agree as long as we have 2 lots. Usually accepts this by the board. The Chairman asks for questions from the board members. Mr. Shea asks what has happened since guardrail, shrubbery. Roadway is coming along well, not a lot of work on the roadway- next month will be starting the shoulders and the sidewalks. Mr. Robinson states that there's less that 1000 sq. ft. difference between the two lots. The Chairman asks for motions from the board. The Chairman asks for a motion. Mr. Shea motions to exchange lots 7 & 9. Mr. Robinson seconds the motion. No further discussion. Roll call vote Shea, Maki, Robinson, Sordillo 4-0 yes.

### **Extension of Subdivision**

Whistleberry Glen Conservation Subdivision, Davenport BCCH LLC (Owner), request to extend subdivision completion deadline and confirmation of Special Permit, Attorney Shawn Reilly:

Mr. Reilly represents Mr. Rosen. Mr. Jack Rierdon here as well- intending to be home builder of Whistleberry Glenn. The client is purchasing a 14-lot subdivision. Has done a title search for client. Clients lending bank is checking on the title of the property. Subdivision was approved in 2007. My client stands to buy the subdivision with roads, etc. transfer lots to Reardon's company. Covenant in 2007 states road to be completed by a certain date. 2012 amendment to extend road completion. Looking to extend the road completion date to June of 2023. The Chairman notes that we had discussed this subdivision years ago before the economy went down. This is a conservation subdivision. There have not been any subdivision rule/regulation changes since that point. States that the rules are the same as when the planning board approved the initial

plans. The Chairman states that we have done this several times, and historically the planning board gives an extension to these things because we do not want the subdivision there doing nothing. The Chairman asks for questions from the planning board. Mr. Shea would like to confirm that this conforms in every way to the subdivision law. Yes it does. The Chairman



## Town of Carver Planning Board

recommends a motion to extend that completion date from June 20, 2012 to June 20, 2023. Mr. Robinson motions, Ms. Sordillo seconds the motion. No discussion. Roll call vote, Shea, Maki, Robinson, Sordillo 4-0 yes.

The Chairman asks for a motion for authorization for Mr. Walsh to sign the document. The Chairman asks for a motion. Mr. Robinson makes the motion to authorize confirmation and exercise validity of specialty permit for Whistleberry Glen Subdivision, Ms. Sordillo seconds. Roll call vote Shea, Maki, Robinson, Sordillo 4-0 yes.

Mr. Reilly notarizes this document as well as lot release form.

### **Sign Permit:**

EatFitz , 2 Montello Street ( Map 22 5-B-R): New sign. The Chairman asks is there is anyone present representing the sign. No one present. In our packets, we have a sign permit application. The Chairman states that this sign is at the Silo Market Place on the main sign out front. Has Aubuchon Hardward, Nail delight, etc. Looking to put up another square on the board which would read EatFitz online order. In the packet it shows this on both sides of the sign out front. This is just replacing another sign which had been there previously. Mr. Robinson asks is the client has paid the filing fee. Mr. Walsh confirms they paid fifty dollars. The Chairmans entertains a motion to approve the sign permit application. Mr. Shea motions to approve the signage. Mr. Robinson seconds the motion. No further discussion. Shea, Maki, Robinson, Sordillo 4-0 yes.

### **Extension of Special Permit**

Cranberry Point Energy Storage Project- Request by Plus Power to Extend Site Plan and Special Permit- Alyson Sand: Ms. Sand and Ms. Shaw are present via Zoom. Ms. Sand gives a background on Plus Power. They are an energy storage leader focused on energy storage projects. Currently they have projects in 17 states. Working on constructing the 4th largest storage project in the world right now in Oahu. Their main focus is safety with all of their projects. Also wanted to update on ownership of the company. The project changed hands last year so Plus Power took over development aspects of this project. Battery projects like this create a more reliable and efficient power grid. They store energy so there is more energy available in times of need. In terms of project updates, one of these is ethernet projection study project in conjunction with Eversource. They have been working on this project in the background over the last several years. Targeting commercial construction with a projection date of 2023. Asking for an extension for 2 years to the permit and site plan and special permit to 2023. Nothing has changed in terms of permits and site plans. The Chairman states that this is a project that came before the Planning Board several years back. This project was for electrical storage at the power

station at Main Street at the crossroads at the power lines. This project was approved by the Planning Board, there was a site walk. This went for several meetings. Interesting project, stores electrical energy so it can be put out at times of increased need. The Chairman notes that this is a good project. Off of Main Street, cannot be seen from the street. Buffered on one side by trees, other side is a berm. Tonight they are asking for an extension to the plan/permit. States that this happens sometimes where a project takes beyond the original time frame. The Chairman asks if there are questions from the Planning Board. Mr. Shea asks why construction has not begun at



## Town of Carver Planning Board

At this point, Ms. Sand notes that the interconnection study process hasn't gone through yet, which is one of the reasons this has not gone through yet. They are wrapping up the final study currently and working through that timing with Eversource. They expect to start construction on the facility in the first quarter on 2023. Ms. Sands notes that they are currently re-evaluating the layout that was proposed in 2013. Will end up coming back to the board in the future for an updated site plan. Mr. Shea proposes that we keep this to a 2 year limit. Also under the condition that they are to come before The Board with any modifications. The Chairman recommends a motions extend the special permit to March 31, 2023. Mr. Robinson motions to extend the site plan and special permit to March 31, 2023. Mr. Shea seconds the motion. No further discussion. Roll call vote Shea, Maki, Robinson, Sordillo 4-0 yes.

### **Public Hearings: (con't)**

On the application of Ironwood Renewable, LLC., requesting a Special Permit and Site Plan Review pursuant to sections 2230, 3100, 3580 and 5300 of the Carver Zoning Bylaw, located at 223 Meadow St. (Assessor's Map 82, Lot 1-1) in Carver, MA to allow the construction of a large-scale ground mounted solar photovoltaic installation, 3.75 MW DC Ground Mounted Solar Project. The level of development is 14.7 acres with 12.7 acres of clearing. Property located in a Residential/Agricultural District. ***The Applicant has requested a continuance to the April 27 Planning Board meeting:*** The Chairman entertains a motion to continue the public hearing to April 27, 2021 at 7pm. Mr. Shea makes the motion, Mr. Robinson seconds the motion. Roll call vote Shea, Maki, Robinson, Sordillo 4-0 yes.

Jesse Boyle from the fire department has handout for the board, as well as an update. Mr. Boyle, assistant deputy chief Carver Fire Department. Typically when we have review committees, the fire department speaks. Wanted to talk about continued proliferation of battery storage in town. Recently had several new applications as well as old applications. Wanted to discuss challenges that the fire department has with this. Several of these projects have access challenges. Now they have access guidelines related to width of the roads, weight limits of the roads, etc. Now starting to see the addition of the battery systems. These present a different set of problems. Typical solar systems have very little fire risk. Largely electrical in nature, have had a few minor fires. Now with battery enclosures provides a new set of challenges. These are in enclosed areas, which means a new set of issues. NFPA55- regulate everything when it comes to building materials. Inside the packet he handed out tonight, highlighted several energy storage requirements. Can speak at length about most of these codes, but looking for the ability to continue to comment on these projects. Agree with additional review of the fire department prior to approving projects.

The fire department is the agency more than any other agency, the fire department is the one that will be responding moving forward after approval. One additional item: gas detection systems. Addition of gas detection that detects a special kind of gas that this detector is designed to pick up on and shut the system down before it becomes an issue. As of right now, this is not required by any codes. Several other projects in town have already indicated that they would put this in. They do recommend that this becomes a requirement. These clean agent systems whether carbon dioxide, etc. these cut of oxygen. When this happens, we cannot have fire fighters going in there. Recommend that a detection system for this be in place as well. Cannot stress enough that additionally, these systems need to be inspected and tested regularly.



## Town of Carver Planning Board

8:36pm: On the application of BE RE, LLC requesting a Special Permit and Site Plan Review pursuant to sections 2230, 3100, 3700, 3580 and 5300 of the Carver Zoning Bylaw, located at 370 Tremont St. (Assessor's Map 128-7-0, 128-8-0) of approximately 36 acres in Carver, MA and the balance of the project is to be constructed in the Town of Wareham to allow the construction and operations of a dual use, large-scale ground mounted Solar Photovoltaic Installation (LSGMSPI) including Battery Storage and Appurtenances on active Agricultural Land. Property located in a Residential/Agricultural District:

The Chairman introduces the matter. This is a continuation from the first meeting. Since the first meeting, there was a site walk. Mr. Shea, Mr. Maki, Mr. Dionne, Mr. Walsh were at the site walk. States that this is remote, cannot see it from the street. Nearest house is set back over the river and through woodland areas. States that this is the perfect place for solar installation since it is so remote. Ms. Stearns from Beals and Thomas. Adam Schumaker, Ian Ward also both present via Zoom. Were able to send revised plan to Andy Glines from Fuss and O'Neill who was able to review it. Notes that edits to the plan were really inconsequential to the plans, edited to allow use of bog roads. Will replace cranberry bog vines that may become damaged. Ms. Stearns states that the plans look largely the same. Mr. Maki had asked to measure the distance from the home in Carver- measured from the panels closet piece 935 ft. give or take, 835ft from the bog road. She also notes that the applicant is happy to work with Carver Fire Department. Met with Wareham Planning Board last night, and similarly to our discussion when we were on site, they were not plans of the perimeter fence. Everyone seems in favor of fence around the equipment, but in the revised plans based on our discussion we added perimeter fence. Added a note that necessity, extent, size will be determined with the town. This will give the bog owner flexibility to hopefully not have a perimeter fence.

The Chairman asks for further questions. Mr. Schumaker via Zoom states that he concurs with everything that Ms. Stearns mentioned. Confirms that at minimum will definitely be needing access gates, but hoping to be able to avoid fence. Ms. Stearns adds that access points are all in Wareham.

The Chairman motions to close the public hearing. Mr. Robinson makes the motion, Mr. Shea seconds the motion. No further discussion. Shea, Maki, Robinson, Sordillo, Mr. Dionne votes in place of Mr. Gaskey 5-0 yes.

The Chairman reviews that under conditions there are a few areas that need to be addressed.

The Chairman motions to approve the site plan and special permit for 470 Tremont Street in Carver. Mr. Shea motions to approve the site plan. Mr. Robinson seconds the motion. No further discussion. Shea, Maki, Robinson, Sordillo, Dionne 5-0, yes.

The Chairman entertains a motion to approve the conditions as modified for 470 Tremont Street in Carver. Mr. Robinson motions to approve the site plan. Mr. Shea seconds the motion. No further discussion. Shea, Maki, Robinson, Sordillo, Dionne 5-0, yes.



## Town of Carver Planning Board

### **Public Hearings:**

9:02pm: On the application of Fuller Street Carver Solar, LLC requesting a Special Permit and Site Plan Review pursuant to sections 2230, 3100, 3700, 3580 and 5300 of the Carver Zoning Bylaw, located at 40 Fuller Street (Assessor's Map 50 Lot 8, 10A) to allow the construction and operations of an approximate 5 megawatt (MW) large-scale ground mounted Solar Photovoltaic Installation (LSGMSPI) and appurtenant equipment including Inverters and Battery Storage and Interconnection. Property located in a Residential/Agricultural District:

The Chairman reads the public hearing notice into record.

Mr. Robinson excuses himself due to being a direct abutter to the property.

Ms. Stearns presents from Beals and Thomas, Pat Jackson also present via Zoom. This project was filed in February. Site plans, special permit, application. 213 acre property. The best way to see the property in it's entirety is an arial map. Proposing solar on 2 of the existing bogs. About 22 acres. These bogs will be taken out of production and retired. Conservation issued an ORAD. Conventional arrays are lower stationary panels and are constructed upland. 5 megawatt project. Site is currently accessed off of Fuller street. Johnson Cranberry has a deeded access across this roadway, and has used this for generations. Access would be proposed to existing access, no additional roads. The fire department has been out to this site as well, and has noted that there are no issues with these bog roads. Like many of these secluded properties, will be known as 0 Fuller Street, but looking to secure the site a real address. Will be using the number 40 Fuller Street as assigned by the town. This is the address that should be used for a site visit as well. Utility interconnection is proposed at the Northern portion of the site. Project has been designed in compliance with the Zoning Bylaw. This project has been designed in compliance with the SMART Program. This was the site that was deemed a rear-lot in 2020 going back to the deeded access off of Fuller Street. We were able to have a TRC earlier this month, Fuss and O'Neill, Mr. Walsh. Had a comment letter from Fuss and O'Neill, have already revised the plans to

incorporate their recommendations. Decided to hold to revised plans prior to presenting our opening presentation. These because they are conventional arrays will be fenced. Shown on the map is chain-linked fence. Will be gated for access.

The Chairman asks if this has the appropriate amount of frontage. There is deeded access off of Forest Street. This would be used as access for construction as well as emergency personnel. They have an NOI drafted for the Conservation Commission. Would like to wait to give this to Conservation Commission to make edits are recommended by the Planning Board. The Chairman recommends a site walk of the property.

The Chairman proposes a site walk as well as continuation to another meeting. The Chairman asks for further questions. Ms. Sordillo asks if the solar arrays make humming noises. The Chairman states that in his experience no. They really do not make any noise at all, you really have to be standing next to these to be concerned with the noise. Pat Jackson adds that these are quite quiet, similar to that of an air conditioner unit.



## Town of Carver Planning Board

The Chairman asks for further questions from the public in person/Zoom.

Steve Deuhurst, 52 Forest Street: The Red Maple Swamp, is this going to be affected by this project. Ms. Stearns confirms that this will remain untouched. Mr. DuHurts notes that there was a paper road drawn in on the map, questions what the purpose of that was. Ms. Stearns notes that this was for discussion purposes and will be put in the shredder. Mr. DuHurts asks if the solar panels will be facing directly south, yes. He also asks for the height of the panels. Ms. Stearns states this will be 11-ft. at the uppermost peak of this. Would like to know when the site walk occurs. The Chairman notes we will determine this at the meeting.

Kevin Robinson, 3 Agent Road: Would like to confirm that the paper road is a non-issue. Correct, this is a non-issue. Will not be happening per Ms. Stearns.

Ms. Sordillo asks how long a project like this will take to finish, Mr. Jackson states that this will usually take 5-7 months. The Chairman notes that it can take a long time to start time.

The Chairman recommends that they schedule a site visit. Site visit scheduled for Thursday April 8, 2021 at 12:00pm.

The Chairman motions to continue the hearing to April 27, 2021 at 7pm. Mr. Shea motions to continue the public hearing to April 27, 2021 at 7pm. Ms. Sordillo seconds the motion. Roll call vote, Shea, Maki, Sordillo, Dionne 4-0 yes.

### **Other Business**

A. Planning Board Member Notes: None

B. Planning Director Notes: Memorial Day Weekend/first week of June, plan to be off. Will discuss meeting dates at a future meeting.

C. Discussion- None

D. Minutes:

1/26 Minutes: Mr. Shea motions to approve the minutes of 1/26. Ms. Sordillo seconds the motion. Roll call vote Shea, Maki, Robinson, Sordillo, 4-0 yes.

2/9 Ms. Sordillo motions to approve the minutes. Mr. Shea seconds the motion. Roll call vote Shea, Maki, Robinson, Sordillo 4-0, yes.

2/23 Ms. Sordillo motions to approve the minutes. Mr. Shea seconds the motion. Roll call vote Shea, Maki, Robinson, Sordillo 4-0 yes.

3/2 Mr. Robinson motions to approve the minutes. Ms. Sordillo seconds the motion. Roll call vote Shea, Maki, Robinson, Sordillo

3/9 Mr. Shea motions to accept the minutes, Mr. Robinson seconds the motion. No further discussion. Roll call vote, Shea, Maki, Robinson, Sordillo 4-0, yes.

E. Next meeting date- 4/27 Carver Town Hall

F. Annual Town Meeting-4/13

G. Adjournment: 9:48pm: Mr. Shea motions for adjournment, Ms. Sordillo seconds the motion. Roll call vote, Shea, Maki, Robinson, Sordillo 4-0, yes.