



Town of Carver Planning Board

Approved
3/23/2021

March 9, 2021
7:00 PM
CARVER TOWN HALL

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, John Gaskey, Bruce Maki, Cornelius Shea

Members Absent: None

Member participating remotely via Zoom: None

Others present: Jim Walsh, Planning Director, Sarah Stearns, Jim Bristol, Fran Mello, Sarah Hewins

Others present via Zoom: None

The meeting was called to order at 7:00 pm.

The Chairman reads the public hearing notice into record to consider Zoning Bylaw and map amendments to the bylaws:

Section 5000 Non-Medical Marijuana Overlay District by allowing cultivation, processing, and retail uses to occur in both Non-Medical Marijuana Overlay Districts:

The Chairman introduces the matter and reviews details from last meeting. Mr. Walsh adds that he has presented the board with maps for review. Maps have highlighted parcels. Initial adoption of the bylaw- to allow non-medical marijuana retail and cultivation in both overlay districts in town. Along with the change, there were some other changes in the bylaw. The assessor had recently gone through and looked at the parcels, found that there were a number of parcels that didn't exist. Goal would be to eliminate these "ghost parcels". Mr. Gaskey asks about a parcel - the Chairman notes that when the owner of the property came to us, they asked for this parcel not to be included. Lot in question is Map 98, Lot 2.

The Chairmans asks for further questions from the board. He then asks the public both in person and virtual if there are questions.

The Chairman motions to recommend to town meeting.

Mr. Robinson motions to recommend to town meeting, Ms. Sordillo seconds the motion. Roll call vote Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.



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Section 3580 Solar Canopies:

The Chairman notes that there was discussion at the 2019 meeting on solar canopies. Mr. Walsh gives several examples. This article allows the town to have the solar canopies as a second principal use so power can be sold to the grid. Accessory use can only use power in the prime principal use building. This positions the town to be able to lease the properties then sell the power to the grid instead of trying to use it at town hall. DPW and the school department are very interested in having this. Winter months, helps keep snow off the buses, summer months helps keep the buses cooler.

There is some discussion amongst the board regarding the wording.

The Chairman asks for further questions from the board.

The Chairman asks if there are any questions from the public in person/Zoom.

The Chairman motions to recommend to town meeting. Mr. Shea motions to approve, second by Robinson. The Chairman calls for a roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.

Section 4000 Single Family Cluster Development:

Reason this bylaw came up is because of what you will read in the informational summary. Planning board requests approval of the proposed single family development bylaw. The Chairman further explains that this is written from the townhouse development bylaw. Offsets are the same for the buildings, way that we figure out the units comes from the townhouse development bylaw. Allows for the same density as the townhouse bylaw development. This does not increase the amount of units that you can put on the development. This does not affect the schools, and protects the aquifer because it uses less water. The Chairman states that he feels this would really benefit the over 55 community. This can allow for more affordable housing because of the clustering of units. Also allows for village style development, more suitable for the town of Carver. The bylaw could be used with over 55, or general population. Mr. Shea notes that the recommendation of the Zoning Bylaw Committee was to pass on this in order to allow more time for review. Mr. Shea also notes that he doesn't feel that this benefits the town in any way, morally, ethically, etc. He does not feel that this has been properly vetted. Mr. Shea feels that this should be pulled from the warrant, and shouldn't have been brought in. Mr. Gaskey adds that it seems it would be easier to adjust existing bylaws, instead of adding another bylaw. Mr. Gaskey also states that he is in agreement with Mr. Shea that this needs to be looked into further.

The Chairman asks if the Board has further questions.

The Chairman asks if the public has any questions in person/Zoom.

Jim Bristol: proponent of the development Weathervane at Patriot Pines. Built a similar community in South Weymouth. 150 units on 170 acres. 30 acres of housing. States that this is the biggest tax payer in the town of Carver. States that he agrees that there needs to be an age restriction on this bylaw, but feels strongly that this could be the best bylaw they ever pass.



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Mr. Shea stands as he stated earlier. He knows that private meetings have taken place. He feels that it is ethically/morally unacceptable to expect this to be done in 20 minutes tonight.

Fran Mello: Along with the fact that the Bylaw Study Committee isn't willing to pass. Feels the Weathervane project might work, but the bylaw doesn't work.

Sarah Hewins: Several years ago, when she was on planning board they worked very hard to make sure that there was a certain percentage that was supposed to be affordable. Also open parcel wetlands need to follow 25%. All undeveloped wetlands on the parcel it is currently. Has objections to the fact that this was done for a certain developer. Also concerned that a lot of the new developments that are coming up are not appealing to the eye.

Sarah Stearns: In looking at the proposed single family cluster bylaw, appears as though it mirrors the existing townhouse bylaw. Asking for clarification from Mr. Walsh in terms of how similar/how different this proposed item is to what we are already using. Mr. Walsh agrees that this is based on the townhouse bylaw.

Lorring Tripp, Weathervane at Patriot Pines: Bylaw is identical to the Townhouse Bylaw, proposes the simple fix is to change the definition of "townhouse" and leave it up to the developer.

Sarah Hewins would like to clarify that it was Sarah Stearns that helped to write the bylaw.

Sarah Stearns: Would like to be clear with the board that because they had an ongoing project. Worked to add the bylaw to make it work for the development and the community. Got to the point where working with Mr. Walsh and for former building commissioner. Best way to address either Townhouse Bylaw, or amend at town meeting for this project.

The Chairman adds that one of the reasons that this came to the board at the time was the Mr. Walsh was tied up with other things for the town meeting.

Mr. Bristol adds: I don't know if it is possible to amend that current bylaw to include 1-5 units. Would hate for this to become a legal matter, but adds that he has millions of dollars invested.

Mr. Shea adds that if he felt it was possible to vet this and bring back to another meeting, he would, but still remains where he stands. Feels the with the added mention of lawyers, it additionally makes him take a step back.

There is some discussion.

Mr. Walsh recommends to the Chairman a motion to addendum the townhouse definition to incorporate single family units.

Mr. Dionne states the he agrees with Mr. Shea.



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Jim Hoftman- from what the proponents had said they originally suggested, asks why when the board discussed changing the definition of townhouse last week they did not include this project.

The Chairman agains asks for further questions in person/via Zoom.

The Chairman entertains a motion to withdraw the article. Mr. Shea makes the motion to withdraw this article without prejudice for further discussion. Sordillo seconds the motion. Roll call vote Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes. Unanimous to withdraw without prejudice.

There is discussion amongst the board regarding a plan at this point.

Sarah Hewins: would like to alert the board that not everything can be amended on the floor.

Sarah Stearns: Asks the board if there's any appetite to re-visit the definition of "townhouse".

The Chairman asks if there is a motion to amend Article VI townhouse bylaw to include single-unit dwellings.

Mr. Robinson motions to reconsider the townhouse definition. Mr. Gaskey seconds the motion. Roll call vote: Shea no, Gaskey, Maki, Robinson, Sordillo yes. 4-1.

The Chairman asks for a motion to include the "townhouse shall mean a single building or group of buildings on a single lot containing one but not more than five dwelling units per building...". Mr. Shea states his concerns again with this. Mr. Robinson asks Mr. Walsh how to incorporate over 55 in this as well as special permitting in the bylaw.

Mr. Robinson motions to amend article IV to read "Townhouse shall mean a single building or group of buildings on a single lot containing one but not more than five dwelling units per building, except a single family dwelling unit may be allowed for 55 and over housing by special permit in accordance with ...". Ms. Sordillo seconds the motion. The Chairman asks for a roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.

Section 3700 Floodplain District of the Carver Zoning Bylaw by updating the Floodplain regulations.

Ms. Hewins states the new section that we are proposing is much more broad and allows pretty much everything with focus on properties that are at risk. Hoping we can take out 3750 and put in 3770.

Mr. Walsh recommends that we review this, and bring up to legal counsel. Mr. Gaskey objects to making changes given what we just went through with the last agenda. Mr. Walsh asks how the board would like to handle this. Plan to bring up to legal counsel.



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1. Planning Board member notes: None
2. Planning Director notes: Next week March 18, 2021 there is a virtual town hall "Complete Streets". Trying to get input into what the priorities of the town are in terms of automobile, bicycle, etc. The following week, they are going to have coffee hours with discussion for those people that cannot make the workshop March 18th.
3. Minutes: March 2, 2021 - Mr. Shea motions to table these to next meeting. Mr. Robinson seconds, Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.
4. Next meeting: March 23, 2021
5. Adjournment: 10:22pm Shea motions to adjourn. Gaskey seconds, Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.