

CARVER PLANNING BOARD
MINUTES OF May 23, 2023

Approved
6/27/2023

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

Meeting was called to order at 7:02PM

Public Hearing:

1. On the application of Matthew Malone requesting a Special Permit pursuant to Sections 5300 and 2230 of the Carver Zoning by Law, located at 309 Tremont Street, Unit #1 in Carver, MA (Assessor's Map 95-3-1) to operate a retail store and service motocross dirt bikes, ATV's, street bikes, Harley's, snowmobile, jetski's, and UTV's repair shop in a General Business District (GB).

The Owner of the building and Matthew Malone address the board and explain Unit 1 at 309 Tremont Street was available to rent so Mr. Malone leased it but he needs a special permit to operate his business. They contacted Jesse Boyle, Assistant Deputy Fire Chief, Carver Fire Department who wrote a letter regarding the guidelines. They also spoke to the Building Inspector who was in agreement of the site. The building itself has retail space in the front with a mix of different businesses. Mr. Malone indicates they have insurance in place, Western Oil will pick up the waste oil and anti-freeze and the equipment is ready to be installed. Chairman Shea points out a second permit from the Select Board is needed because technically this is an automotive repair shop and requires a secondary containment unit because it is so close to the wetlands. Mr. Shea also states storage of hazardous waste in the hundred foot zone which includes tires, junk parts or vehicles that contain oil or various other substances is now allowed. Parking consists of 2 space in front, 3 in back and 4 on the side of the building.

Kevin Robinson asks about the crane in the site and the maneuverability of a trailer to move vehicles and the response there is quite a bit of maneuverability. He also asks what the schedule is for picking up oil waste, etc. and the response is when the 60 gallon tank gets to 40-45% full they will have it removed. Mr. Robinson also asks what the policy is for picking up and delivering vehicles, such as motorcycles and Mr. Malone indicates he needs to work with an attorney to draw up a contract for the customer to sign, especially for picking up the vehicle at the site after the work is completed.

Richard Dionne asks what if a part is needed for a vehicle and it takes a length of time to receive it what will they do with the vehicle until the part arrives and Mr. Malone responds stating he has a 20x20 storage unit in Lakeville where he can place the vehicle until the part arrives. John Gaskey asks if re-chroming is going to be done and the response is no, they send re-chroming projects out to another vendor, nor will they do sonic washing or

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sandblasting work. Chairman Shea asks where old tires will be stored and the response is if the customer doesn't want them they will charge the customer a fee and a company will take them away, but while waiting for a length of time for that to happen they will be placed in the storage unit in Lakeville. He also asks what happens to replacement parts such as gas tanks, carburetors and old engines, and the response is they are brought to a scrap yard to be recycled and while waiting for the company to pick them up they will be placed in the disposal bin. Mr. Malone confirms the dumpster on site will only be used for regular trash. Richard Dionne asks about ventilation and the response is it's a typical garage space.

The Board will do a site walk on Thursday, June 1, 2023 at 5:00PM.

Other Business:

2. Preliminary Subdivision Plan - Wankinco, 0 & 46 Federal Road, (Assessor's Map 131 Lots 2-4 and 4-3) in an Industrial "A" District (IA).

Bob Rogers is present to represent the applicant. Chairman Shea states the Board has not received any further information at this from Fuss & O'Neill. Mr. Rogers confirms an ANOI or ORAD was done on this property. Mr. Rogers states this project will create four lots and the property is in the industrial zone where the proposed road is located and the road has met the requirements. On Lot 2-4d to the north is in the residential agricultural zone which is delineated on the plan. Mr. Shea indicates there is a paved soil mixing pad on Lot 2-4d and asks for clearer information on this and Mr. Rogers responds he will obtain the information requested. Mr. Shea states he will talk to Andy Glines of Fuss & O'Neill about observation pits. Mr. Shea discusses the sidewalk with Mr. Rogers and requests changes be made which they will comply with. Mr. Gaskey asks what Parcel A is going to be used for and the response is a dedicated drainage lot per the requirements. Mr. Shea asks if a phase 1 site assessment was done and the response is he doesn't believe an assessment was done, rather Mr. Rogers accessed that data to show the presence or absence of vernal pools.

The Board will do a site walk tentatively on June 6, 2023 at 5:00PM.

3. Preliminary Subdivision Plan – Johnson Brothers Cranberries, Off Fosdick Road, (Assessor's Map 57, Lots 1, and 2A; Map 58, Lot 2 and 8) in a Residential Agricultural District (RA).

A continuance has been requested to June 13, 2023.

Chairman Shea addresses the audience and asks if there are any questions. A young man asks for clarification on the issue No. 1 on tonight's agenda. Mr. Shea explains he really can't discuss the matter in-depth because it is an active matter, but does say that because

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vehicles are being repaired there are a lot of chemicals, oils, gasoline and other various safety issues that require a deeper scrutiny and therefore the site must obtain a special permit. The Board decided this is an appropriate location for this business. A site walk was set up to make sure the facilities meet the Board's expectations and if not conditions will be set in place to bring it up to the safety levels.

4. Sign Gibbs Street Mylar and Covenant.
 5. Sign Weathervane Covenant.
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- A. Planning Board Member Notes-Chairman: Chairman Shea indicates the Town lost one of its very special residents last week, Mr. Shane McColgan. He was brave, strong and a heart of gold. He will be missed terribly.
- B. Town Planner Notes: None.
- C. Discussion: None.
- D. Minutes: 3/28/2023: Chairman Shea will accept a motion to approve the minutes of 03/28/2023, with an attached addendum. Said motion is made by John Gaskey and it's seconded by Ellen Sordillo. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.
- E. Adjournment: Chairman Shea will accept a motion to adjourn the meeting. Said motion is made by Ellen Sordillo and it's seconded by John Gaskey. Chairman Shea takes a roll call vote and Richard Dionne vote's aye, John Gaskey vote's aye, Kevin Robinson vote's aye, Ellen Sordillo vote's aye and Chairman Shea vote's aye. Unanimously approved 5-0-0.

Documents for 5/23/2023 PB Meeting

Special Permit application/plans re: 309 Tremont St (unit #1) – Matthew Malone, ltr dated 4/10/2023 from M. Malone to PB outlining plan for business, map of Unit #1 and pictures

5/19/2023 Ltr from J. Boyle to T. Bott re: 309 Tremont St., Unit #1 motorcycle repair shop

Preliminary Subdivision application/plans for Wankinco re: 0 & 46 Federal Rd

Preliminary Subdivision application/plans for Johnson Cranberries re: Off Fosdick Road/Purchase St

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Gibbs Street Mylar and Covenant

Weathervane Covenant