



## Town of Carver Planning Board

**May 25, 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: Ellen Sordillo, Bruce Maki, Kevin Robinson, Cornelius Shea, John Gaskey, Richard Dionne

Members Absent: None

Members participating remotely via Zoom: None

Others present: Jim Walsh, Planning Director

Others present via Zoom: None

The meeting was called to order at 7:01pm

### **Rescinding Old Forge Drive Subdivision:**

Rescinding of Subdivision formerly Decas Cranberry Processing Facility now owned by Fruit d'Or Real Estate USA Corp:

Mr. Walsh states that this requires a public hearing. He has notified the applicant of the need for a public hearing. Proposes setting a meeting date of July 13, 2021 @7:00pm.

Mr. Gaskey makes a motion to set the meeting date, Ms. Sordillo seconds the motion.

Roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo 5-0, yes.

### **Minor Modification:**

Cranberry Point Energy Storage LLC- 31R Main Street (Map 61, Lot 10-0-R & 7-0-R):

Allison Sand from West Power is presenting tonight. The Chairman states that this is an energy storage area that the Planning Board approved. Now this is coming before us for some modifications. Polly Shaw colleague Chris Quorenta- senior project engineer working with Plus Power. Ms. Sand present via Zoom. Attended the March meeting to move forward with the plans. They received updated information from Eversource. Through the interconnection study process,



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they have received updated as to space needed for facilities. Plans have been given to increase the size of the space of the substation area. More of the battery storage is on the East side of the project. Lastly, they removed the Northern most access point, and added a new one on the Eastern side of the project area. Were able to meet with the Carver Fire Department at the end of April. Tonight requesting approval of minor modifications.

The Chairman asks since there are new board members, if anyone would be interested in doing a site visit. The Chairman asks Ms. Sands if it is possible to get the corners of the containers marked for a site walk. Ms. Sands agrees to a site walk and asks if it is possible to approve with the condition that the site walk goes well, and approves. The Planning Board feels that it would be better to do a site visit prior to voting.

The Chairman proposes a site walk on Monday June 14, 2021 @ 12pm. Will continue this minor modification to the next meeting. The Chairman entertains a motion to continue minor modification to June 23, 2021. Mr. Gaskey motions, Mr. Shea seconds. Shea, Gaskey, Maki, Robinson, Sordillio. 5-0, yes.

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

7:28 pm: 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 states that they had done a site visit. States that Mr. Robinson had excused himself at the last couple of meetings due to conflict of interest and being a direct abutter. Ms. Stearns begins. This is a proposed solar array. Propose retiring the Upland bogs where this is proposed. They have received 2 peer-reviewed memos through Fuss & O'Neil. They pulled back an area of fence where they were trying to get 200-ft setback. They heard back from Andy Glines who informed them that they now conform to 200-ft set back, so no longer need a waiver. The request remains the same, seeking approval.

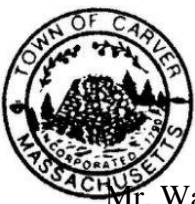
Pat Jackson is also present via Zoom representing the applicant.

The Chairman asks for questions from the Planning Board. No questions.

The Chairman asks for questions from the Public. No questions.

The Chairman entertains a motion to close the public hearing. Mr. Shea motions to close the public hearing, Mr. Gaskey seconds the motion. Shea, Gaskey, Maki, Sordillo, Dionne. 5-0, yes.

Mr. Dionne is voting in place of Mr. Robinson who removes himself from this vote due to conflict of interest.



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Mr. Walsh reads the conditions.

The Chairman entertains a motion to obtain a special permit and conditions as listed. Mr. Shea makes the motion, second Mr. Gaskey. Shea, Gaskey, Maki, Sordillo, Dionne, 5-0, yes. Mr. Dionne is voting in place of Mr. Robinson who removes himself from this vote due to conflict of interest.

7:47pm: The Chairman reads the Public Hearing Notice into record. On the application of NW Plymouth Street 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 0 Plymouth Street (204 Plymouth Street) (Assessor's Map 48 Lot 2, 6, and 7) to allow the construction and operation of a large-scale ground mounted Solar Photovoltaic Installation (LSGSPI) including Battery Storage and appurtenant equipment and interconnection on active land in agricultural use. Property located in a Residential/Agricultural District:

Sarah Stearns and Eric Weston (landowner), Pat Jackson representing applicant all present tonight.

Ms. Stearns introduces the area. Approximately 95-acres of agricultural land. Very close to the Carver- Middleboro Line. This is a conventional solar array to be present on retired upland cranberry bogs. They have proposed 15-acres total for equipment pads, battery storage, etc. The proposed interconnection on this project is underground. (UE). The applicant and owner agree that this would be more feasible and better to install the utility sub-service. Interconnection is proposed at Plymouth Street. This project will be 204 Plymouth Street if it is approved. This project is approximately 6 megawatts in total. Conservation Commission has closed out their hearing, and has been approved. Array itself is proposed to be located on actively farmed bogs. Adjacent to the bog, there is a slop that is vegetated. Part of Eric's farm plan is to remove vegetation on this area in order to clear for sun light. Ms. Stearns clarifies that this will happen regardless of whether this project continues, and will be the only tree clearing. The remainder of the farm will stay in production, this project helps to keep it going. They have proposed a more wildlife-friendly fence which meets the National Electric code. They are working to get waivers from abutters. They are able to maintain the 50-ft setback throughout, and a 200-ft setback when possible. Had a meeting with Fuss & O'Neil, John Woods from operation and maintenance, etc. Fuss & O'Neil gave some comments, and they plan to amend the plans accordingly with the changes as necessary from the Planning Board.

The Chairman states that this is the initial first meeting, and the Board will schedule a site walk. We will also have at least 1 more meeting here, so there will be plenty of time to ask questions.

The Chairman opens it up to questions from the Planning Board. Mr. Shea asks who the owner of the project will be. Pat Jackson states that the project owner will be identified. Ms. Stearns notes that she will update the cover letter appropriately.

Mr. Shea asks what the frontage is on this property. Ms. Stearns states that it is larger than 150-ft. will have a specific number.



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Mr. Weston adds that on the site-walk he will point out where there might be telephone poles.

Ms. Stearns adds that for a site walk will be easier through Capeway Rivers Entrance.

The Chairman opens up the meeting to the audience

Paul Kelley- 36 Lawrence Street: What are the pros/cons to the underground part of this. Mr. Weston replies from the landowner perspective that the poles would be a hinderance to the operation of the farm. Ms. Stearns adds that in the Carver Solar Bylaw it is preferred that this is underground.

Mike Fontaine 218 Plymouth Street: After this gets approved, can they change their mind and feed it a different way. Currently with Eversource the design is as currently drawn. Pat Jackson adds that Eversource owns those poles, so in the case of this project we can go above ground/below ground, but once you reach the Eversource poles that is something that needs to be taken up with Eversource. Mr. Fontaine also asks about plans to plant foliage. Ms. Stearns states that she would prefer to have input from the neighborhood and from the Planning Board- states that she is happy to welcome comments from neighbors. He also asks if he can join in on the site walk. The Chairman recommends a separate site walk.

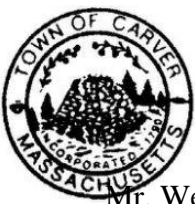
**RESIDENT SPEAKS (Jennifer):** The plan tonight, is a general idea of what we are planning on doing. Really disturbing to her that the project will be passed based on a general idea. The Chairman responds that the projects are typically developed then given to the electric company, then takes 1-2 years to work out the specifics. The goal here is that hopefully at the end these things come back to us as minor modifications. Ms. Stearns adds that this is a very well thought out proposal that has been worked out between the developer and the landowner. Emphasizes that these are not construction plans, these are permit plans. The civil aspect will not change drastically. The panels might change, the exact level of inter-connector might change, but otherwise would not expect large changes.

The Chairman states that one of the big things that the Planning Board is concerned with is viewing the panels, but will look at this when we do the site walk.

Mike Fontaine: The road leading up to Capeway Roadways, does Eversource own this.

Shawn Bogart: Cranberry Road is present via zoom: Mr. Dionne had mentioned underground from the inter-connector point. Would encourage the Board to take a thorough look during the site visit and if you believe it should be underground utilities to the street, that's your decision.

Ms. Stearns emphasizes that they are open to discussion regarding poles/underground. There are a lot factors in play, and she encourages further discussion at the site walk.



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Mr. Weston speaks. Feels like there are broad issues beyond this project. States that he feels like he maintains good relations with his neighbors, and will continue to work to maintain this and work with them during this project.

Mr. Gaskey states that he has lived in a number of places, one of the best places was one with underground power. When it came to power outages, underground does not lose power as much and should be the more reliable source of power.

Mr. Dionne asks if we can get an Eversource representative in here. Ms. Stearns replies that there are a lot of steps in the process and the Solar Developer usually handles this. Once the landowner portion ends, the only options are above ground or on a pole.

Mr. Bogart the reality is that we would prefer less poles if we can. These are the requirements for safety and reliability. If we could get away with less poles we would, it's just a matter of how this is designed. There are standards that we need to follow in terms of utilities. As far as the number of poles goes, it would be 3 poles, with the pole across the street as well being an existing poles.

The Chairman recommends moving on to scheduling a site walk. Friday June 11, 2021 @ 12pm. Use the address 224 Plymouth Street- Capeway Rovers entrance.

The Chairman entertains a motion to continue the public hearing to June 22, 2021 @7pm.

Mr. Shea makes the motion, Mr. Gaskey second the motion. No further discussion. Roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo, 5-0 yes.

8:46pm: On the application of David Mulcahy, 1929 Development Inc., requesting a Special Permit and Site Plan Review under Sections 2230, 2330, 3100, 4300 and 5300 of the Carver Zoning by Law, located at 157 North Main Street, in Carver, MA (assessors Map 24-Lots A, B, C) for the construction of a 5000 Sq. Ft. craftsmans/tradesman building in order to operate a Deer, Tick and Mosquito Control business in a Highway Commercial District (HC):

Scott Fenara and David Mulcahy are both present. Did a site walk a couple weeks ago, received some comments, which have been addressed in this plan set. Most of the comments were pretty minor. The biggest change might be related to conservation. This was the reconfiguration of the

drainage basin to reduce the amount of tree clearing in the area. Met with conservation last week, that hearing has closed pending conditions.

Mr. Shea asks the square footage of impervious surface. Mr. Fenara notes the increase in pervious coverage will be handled within the basin.

Mr. Shea asks about the nature of what will be stored in it. This building will store vehicles, no maintenance in this building. Will have drainage.



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Mr. Shea asks about signage. The applicant does not have a sign plan. Mr. Walsh notes that they will need to submit this at a later date if they exceed the 32-sq. ft. limit.

Mr. Shea asks about the 3-bathroom proposal in this building. Asks if the Conservation Commission is aware of this. Recommends also getting the Health Department involved.

The Chairman asks for further questions from the Planning Board. None.

The Chairman asks for further questions from the Public. None.

The Chairman entertains a motion to close the public hearing. Mr. Shea motions, Ms. Sordillo seconds the motion. No further comments. Roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

The Chairman asks about recommendations for conditions from the Board. Mr. Shea mainly concerned with vehicle maintenance, etc.

The Chairman entertains a motion to continue the public hearing to June 22, 2021 @7pm. Mr. Shea motions, Mr. Gaskey seconds. No further discussion. Roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo 5-0, yes.

9:10pm: On the application of Galehead Development requesting a Special Permit and Site Plan Review pursuant to sections 2230, 3100, 3700, 3580 and 5300 of the Carver Zoning Bylaw, located at 0 Meadow Street (Assessor's Map 82 Lot 1-A, 1-2 & 1-3) to allow the construction and operations of an approximate 1 megawatt (MW) large-scale ground mounted Solar Photovoltaic Installation (LSGMSPI). Property located in a Residential/Agricultural District:

Jocelyn Gambone and Lucas Faria from Galehead Development present via zoom. Recently got a comment letter from Fuss & O'Neil as well as the fire department. They understand no one has probably looked at the letter yet, but looking to schedule a site walk today.

The Chairman asks Mr. Walsh about the concerns that the Planning Board had. One of these were site access, the other being an opinion letter from Galehead's attorney speaking towards

their thoughts on site access. Mr. Walsh states that they had Amy Quessell KP law, give her opinion on this and basically ANR lot caused a non-conformity with frontage. Ms. Quessell suggested that the applicant's attorney made the case that this was a larger zoning lot, but they could file a new ANR plan to create lots that meet the frontage requirements. The other concern that Galehead has is with the requirement of all direct abutters to provide waivers for reduction in setback. There is one area of the plan they are requesting a 50-ft. setback. Galehead sent an attorney opinion from their attorney. One of the concerns is if you don't get all direct abutters to agree to waiver it puts the project in a tough position.

Mr. Faria speaks that he did receive the letter from KP law this afternoon- just to recap it states that a merger isn't necessary, but file a new ANR plan. Will follow-up with this. Also- he does



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have the letter that addresses the abutter set back, which he reads. They are only getting waivers on people they are reducing from 250-ft. to 200-ft.

The Chairman feels that we need to get waivers from every direct abutter. Mr. Faria notes that they have 7 total abutters, but only 2 direct abutters. Mr. Walsh asks if Mr. Faria can get waivers from remaining abutters. Mr. Faria states that there is an ongoing effort to get waivers from all abutters.

The Chairman asks if the Board feels a site walk is appropriate. Plan to get an opinion from KP law, then schedule a site visit after legal opinion.

The Chairman entertains a motion to continue the public hearing. Mr. Shea motions to continue the meeting to June 22, 2021. Mr. Gaskey seconds. No further discussion. Roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

9:29pm: The chairman reads the public hearing notice into record: On the application of Nutrien Ag Solutions, Inc. requesting a Special Permit pursuant to Sections 3570 and 5300 of the Carver Zoning by Law, located at 96 Forest Street in Carver, MA (Assessor's Map 49 Lot 62-6-R) to exceed the signage dimensional requirements in the General Business District:

Jeffrey Utley: 9 McFallon Road. Looking to put signage on his facility. States that this is an oversize sign. 78-in long x 35-in. wide. This is going on the new building that is being built. This is going to go in the front, directly center. Will not be illuminated. This will exceed the 16-sq.ft. requirement, so requesting special permit.

The Chairman states that he likes the building, etc. Feels that everything looks very nice.

The Chairman asks for questions from the Planning Board. No questions.

The Chairman asks if the Public has questions in person/zoom. No questions.

The Chairman entertains a motion to close the public hearing on the application of Nutrien Ag Solutions. Gaskey motions, Mr. Shea seconds the motion. No further discussion. Roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

Mr. Shea motions to approve the sign application, Mr. Gaskey seconds the motion. Roll call vote: Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

9:36pm: The Chairman reads the public hearing notice into record: On the application of Cranberry Acres Jellystone Campground requesting a Special Permit pursuant to Sections 3570 and 5300 of the Carver Zoning by Law, located at 20 Shoestring Road in Carver, MA (Assessor's Map 124 Lot 13-0-R) to exceed the signage dimensional requirements in the Residential/Agricultural Zoning District:



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Mr. Walsh introduces the application, directs the Planning Board to their packet for a picture of the sign. States that this is more to get the visitors from Tremont Street down to Shoestring road. Mr. Shea asks if they are planning on putting this on Tremont Street. Mr. Walsh responds that this is replacing an existing sign. The Chairman states that he thinks that they had a smaller sign there before. Mr. Walsh states that the RA district maximum is 8 sq. ft. This sign will be double the maximum for a free-standing sign. This will be made of wood, not illuminated.

The Chairman asks for further questions from the Board. None.

The Chairman asks for further questions from the public/zoom. None.

The Chairman entertains a motion to close the public hearing. Shea motions, Sordillo seconds the motion. Roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

The Chairman entertains a motion to approve the sign application. Shea motions, Sordillo seconds the motion. Mr. Shea does express his concern with the sign being put up without permission. Roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

9:45pm: 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 June 22nd Planning Board meeting:

The applicant has requested a continuance to the June 22, 2021 meeting.

The Chairman entertains a motion to continue to the June 22, 2021 meeting. Robinson motions, Sordillo seconds the motion. Roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

9:47pm: On the application of Miriam Gori requesting a Special Permit pursuant to Sections 5300 and 2230 of the Carver Zoning by Law, located at 149 South Main Street in Carver, MA (Assessor's Map 94 Lot 11-0-R) to operate a Hobby/Commercial Kennel in a Residential Agriculture District. The Applicant has requested a continuance to the June 22<sup>nd</sup> Planning Board meeting:

The applicant has requested a continuance to the June 22, 2021 meeting.

The Chairman entertains a motion to continue to the June 22, 2021 meeting. Robinson makes a motion, Sordillo seconds the motion. Roll call vote, Shea, Gaskey, Maki, Robinson, Sordillo, 5-0, yes.

Discussion:





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The Select Board or the Town Administrators are trying to form a Town Administrator screening committee. They are asking for one of the Planning Board members to be a part of this committee. Mr. Gaskey and Mr. Maki volunteer for this position.

Mr. Robinson motions to nominate Mr. Maki. Ms. Sordillo seconds the motion.

Mr. Shea motions to nominate Mr. Gaskey. Ms. Sordillo seconds the motion.

Roll call vote for Bruce Maki to be on the Board for the Town Administrator Committee: Shea and Gaskey No. Maki, Robinson, Sordillo yes. 3-2.

Bruce Maki to serve on the Board for the Town Administrator Committee.

### Other Business

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- A. Planning Board Member Notes - none
  - B. Planning Director Notes- will be going away on Thursday, Friday, and the following week. Will not be back until June 7, 2021.
  - C. Discussion-
  - D. Minutes –Mr. Shea motions to approve the minutes from March 23, 2021. Sordillo seconds. Shea, Maki, Robinson, Sordillo yes. Gaskey abstains. 4-1. Mr. Shea motions to approve the minutes as amended for May 11, 2021. Robinson seconds the motion. Shea, Gaskey, Maki, Robinson, Sordillo 5-0 yes.
  - E. Next meeting date- 6/22
  - F. Adjournment: Mr. Shea makes the motion to adjourn, Sordillo seconds the motion. Shea, Gaskey, Maki, Robinson, Sordillo, 5-0 yes.